

**Security Council**

Distr.: General
31 December 2012

Original: English

Letter dated 31 December 2012 from the Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea (see annex), which contains an account of the Committee's activities during the period from 1 January to 31 December 2012. The report is submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

(Signed) H. S. Puri
Chair

Security Council Committee pursuant to resolutions 751 (1992)
and 1907 (2009) concerning Somalia and Eritrea



Annex

Report of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea

I. Introduction

1. The present report of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea covers the period from 1 January to 31 December 2012.
2. For 2012, the Bureau of the Committee consisted of H. S. Puri (India) as Chair, with the delegations of Pakistan and Togo providing the Vice-Chairs.

II. Background

3. By its resolution 733 (1992), the Security Council imposed a general and complete arms embargo on Somalia, and by its resolution 751 (1992), the Council established a Committee to oversee the implementation of the embargo. Subsequently, in its resolutions 1356 (2001), 1425 (2002), 1744 (2007), 1772 (2007), 1846 (2008), 1851 (2008), 1916 (2010) and 2060 (2012), the Council outlined certain exemptions to the embargo and further elaborated the scope of the measures.
4. By its resolution 1844 (2008), the Security Council decided that all Member States should take the necessary measures to prevent the entry into or transit through their territories of individuals designated by the Committee. The Council also decided that all Member States should freeze without delay the funds, other financial assets and economic resources owned or controlled, directly or indirectly, by the individuals or entities designated by the Committee. The Council imposed a targeted arms embargo against Somalia, including measures to prevent the supply of related training and financial and other assistance to designated individuals and entities.
5. By paragraph 8 of the same resolution, the Council mandated the Committee to designate individuals and entities: (a) engaging in or providing support for acts that threaten the peace, security or stability of Somalia; (b) having acted in violation of the general and complete arms embargo; and (c) obstructing the delivery of humanitarian assistance to Somalia, or access to, or distribution of, humanitarian assistance in Somalia. By its resolution 2002 (2011), the Council added to these criteria: (d) being political or military leaders recruiting or using children in armed conflicts in Somalia; and (e) being responsible for violations of international law involving the targeting of civilians, including children and women, in situations of armed conflict. The Committee was entrusted with, inter alia, the tasks of monitoring the implementation of the travel ban and assets freeze, with the support of the Monitoring Group; seeking from all Member States, in particular those in the region, information regarding the actions taken by them to implement effectively the travel ban and assets freeze; and reporting to the Council at least every 120 days on its work and on the implementation of resolution 1844 (2008).

6. On 12 April 2010, the Committee designated eight individuals and one entity to be subject to the travel ban, assets freeze and targeted arms embargo imposed under resolution 1844 (2008). On 28 July 2011, the Committee added two individuals to the list. On 17 February, 25 July and 23 August 2012, the Committee added the name of one individual to the list.¹

7. On 19 March 2010, the Security Council adopted resolution 1916 (2010), by which it decided that, for a period of 12 months, the assets freeze that it had imposed by paragraph 3 of resolution 1844 (2008) should 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 resolution 1972 (2011), adopted on 17 March 2011, the Council renewed that exemption for 16 months. By resolution 1916 (2010), the Council requested the United Nations Humanitarian Aid Coordinator for Somalia to report to it every 120 days on any impediments to the delivery of humanitarian assistance in Somalia. By resolution 1972 (2011), the Council requested the Emergency Relief Coordinator to report to it on the same issue by 15 November 2011 and 15 July 2012. By its resolution 2060 (2012), the Council extended the exemption until 25 July 2013 and requested the Emergency Relief Coordinator to report to it by 20 November 2012 and 20 July 2013.

8. By resolution 2036 (2012), the Council imposed a ban on the direct or indirect import of charcoal from Somalia, whether or not such charcoal originated in Somalia, and called upon the Somali authorities to take the necessary measures to prevent the export of charcoal from Somalia.

9. By its resolution 2060 (2012), the Council extended until 25 August 2012 the mandate of the Monitoring Group referred to in paragraph 3 of resolution 1558 (2004). The Group consists of eight experts, who were appointed by the Secretary-General on 13 August 2012 (S/2012/631). By the same resolution, the Council introduced an exemption to the arms embargo for the United Nations Political Office for Somalia.

10. On 23 December 2009, the Security Council adopted resolution 1907 (2009), by which it imposed a ban on the sale or supply to and from Eritrea of arms and related materiel, technical assistance and training. By the same resolution, the Council imposed an assets freeze, a travel ban and a targeted arms embargo on individuals and entities, including but not limited to the Eritrean political and military leadership, designated by the Committee as (a) violating the arms embargo; (b) providing support from Eritrea to armed opposition groups that aim to destabilize the region; (c) obstructing the implementation of resolution 1862 (2009) concerning Djibouti; (d) harbouring, financing, facilitating, supporting, organizing, training or inciting individuals or groups to perpetrate acts of violence or terrorist acts against other States or their citizens in the region; or (e) obstructing the investigations or work of the Monitoring Group. The Council further expanded the mandate of the Monitoring Group to monitor and report on the implementation of the measures imposed by resolution 1907 (2009).

¹ The list of individuals and entities subject to the measures imposed by paragraphs 1, 3 and 7 of Security Council resolution 1844 (2008) is available from http://www.un.org/sc/committees/751/pdf/1844_cons_list.pdf.

11. Since the Security Council, by its resolution 1907 (2009), had expanded the mandate of the Committee, the Committee decided on 26 February 2010 to change its name to “Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea”.

12. On 5 December 2011, the Security Council adopted resolution 2023 (2011), by which it expanded the restrictive measures concerning Eritrea in the areas of “Diaspora taxes”, the Eritrean mining sector and financial services, and expanded the mandate of the Monitoring Group to monitor the implementation of those measures and demanded that Eritrea make available information pertaining to Djiboutian combatants missing in action.

III. Summary of the Committee’s activities

13. During 2012, the Committee met 10 times in informal consultations, on 3 February, 18 April, 14 May, 6 July, 11 July, 17 July, 31 July, 3 October, 13 November and 14 December 2012. Furthermore, the Committee conducted a good amount of its work through written procedures.

14. On 3 February 2012, the Committee received the midterm briefing from the Coordinator of the Monitoring Group on Somalia and Eritrea, pursuant to paragraph 6 (l) of resolution 2002 (2011). During the Committee’s informal consultations on 18 April, it had an exchange of views with the Permanent Representative of Eritrea to the United Nations in connection with the work of the Monitoring Group. The Special Representative of the Secretary-General for Somalia briefed the Committee on 14 May.

15. During the informal consultations held on 6 July, the Assistant Secretary-General for Humanitarian Affairs and Deputy Emergency Relief Coordinator briefed the Committee on the report of the United Nations Resident and Humanitarian Coordinator (S/2012/546), submitted pursuant to paragraph 5 of Security Council resolution 1972 (2011). During the informal consultations on 11 July, the Coordinator of the Monitoring Group on Somalia and Eritrea presented its final reports on Somalia (S/2012/544) and Eritrea (S/2012/545), submitted pursuant to paragraph 6 (m) of resolution 2002 (2011). In that connection, the Committee met with delegations of Eritrea and Somalia on 17 July and 31 July, respectively.

16. During the informal consultations held on 3 October 2012, the Coordinator of the Monitoring Group briefed the Committee on the programme of work of the Group and provided follow-up information on issues carried over from the previous mandate. A representative of the Office of Legal Affairs also briefed the Committee on legal issues arising from the interaction of the Group with the media. During the informal consultations held on 13 November, the Committee was briefed by a representative of the Office for the Coordination of Humanitarian Affairs on the report of the United Nations Resident and Humanitarian Coordinator (S/2012/856), submitted pursuant to paragraph 8 of Security Council resolution 2060 (2012). Representatives of the World Food Programme and the United Nations Children’s Fund were also present to respond to questions from Committee members. On 14 December, the Coordinator of the Monitoring Group on Somalia and Eritrea briefed the members of the Committee via video link about developments regarding the charcoal ban imposed by resolution 2036 (2012).

17. On 17 December 2012, the Committee approved procedures for cooperation with the International Criminal Police Organization.

18. On 28 March, 24 July and 8 November 2012, the Chair of the Committee briefed the Security Council during consultations on the activities of the Committee during the previous 120 days, pursuant to paragraph 11 (g) of resolution 1844 (2008).

19. During the reporting period, the Committee approved 18 requests for exemptions to the arms embargo for non-lethal military equipment pursuant to paragraph 3 of resolution 1356 (2001) and 19 requests for exemptions to the arms embargo pursuant to paragraph 11 (b) of resolution 1772 (2007).

20. In 2012, the Committee received 1 report (see appendix I) from Member States regarding the implementation of the measures imposed by resolution 1844 (2008), 2 reports (see appendix II) regarding the implementation of the measures imposed by resolution 2002 (2011), 19 reports (see appendix III) regarding the implementation of the measures imposed by resolution 2023 (2011) and 14 reports (see appendix IV) regarding the implementation of the measures imposed by resolution 2036 (2012).

Appendix I

**Reports regarding the implementation of the measures imposed by
Security Council resolution 1844 (2008)**

<i>Member State</i>	<i>Date</i>
Luxembourg	21 May 2012

Appendix II**Reports regarding the implementation of the measures imposed by Security Council resolution 2002 (2011)**

<i>Member State</i>	<i>Date</i>
Argentina	20 March 2012
Portugal	2 August 2012

Appendix III

Reports regarding the implementation of the measures imposed by Security Council resolution 2023 (2011)

<i>Member State</i>	<i>Date</i>
Slovakia	5 April 2012
Canada	24 April 2012
Mexico	17 May 2012
Slovakia	30 May 2012
Japan	1 June 2012
France	7 June 2012
United Arab Emirates	19 June 2012
South Africa	26 June 2012
Russian Federation	9 July 2012
Australia	20 July 2012
Germany	24 July 2012
Latvia	27 July 2012
Sweden	9 August 2012
Argentina	7 August 2012
Lebanon	13 September 2012
Andorra	22 October 2012
Qatar	1 November 2012 and 10 December 2012
Australia	19 November 2012
United Arab Emirates	6 December 2012

Appendix IV**Reports regarding the implementation of the measures imposed by Security Council resolution 2036 (2012)**

<i>Member State</i>	<i>Date</i>
Russian Federation	16 April 2012
Canada	18 June 2012
United Arab Emirates	19 June 2012
Japan	21 June 2012
Brazil	21 June 2012
South Africa	26 June 2012
Russian Federation	9 July 2012
United States of America	24 July 2012
Latvia	27 July 2012
Germany	1 August 2012
Portugal	2 August 2012
Argentina	7 August 2012
Qatar	1 November 2012
United Arab Emirates	6 December 2012
