

Resolution 2521 (2020)

Adopted by the Security Council on 29 May 2020

The Security Council,

Recalling its previous resolutions, statements of its President, and press statements on the situation in South Sudan,

Welcoming encouraging developments in South Sudan's peace process, including the beginning of the formation of a Revitalized Transitional Government of National Unity (RTGNU), *recognizing* that this represents a significant step towards sustainable peace by the parties to the Revitalized Agreement, and *further welcoming* the spirit of compromise and political will demonstrated by the parties in order to create the conditions necessary to advance the peace process,

Expressing appreciation for the leadership of the Intergovernmental Authority on Development (IGAD) in advancing the peace process in South Sudan, *underlining* that the 2018 "Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan" (the Revitalised Agreement) is an important step forward in the peace process that provides a window of opportunity to achieve sustainable peace and stability in South Sudan, *commending* the ongoing mediation by the Community of Sant'Egidio to foster political dialogue between signatories and non-signatories of the Revitalised Agreement, and *calling on* South Sudanese parties to demonstrate the political will to peacefully resolve the conflict,

Recognizing the reduction in political violence since the signing of the Revitalised Agreement and that the permanent ceasefire was upheld in most parts of the country, and *further recognizing* the efforts of the RTGNU in addressing the COVID-19 pandemic,

Reiterating its concern regarding the political, security, economic, and humanitarian situation in South Sudan, and *emphasizing* that there can be no military solution to the conflict,

Strongly condemning past and ongoing human rights violations and abuses and violations of international humanitarian law, *further condemning* harassment and targeting of civil society, humanitarian personnel and journalists, *emphasizing* that those responsible for violations of international humanitarian law and violations and abuses of human rights must be held accountable, and that the RTGNU bears the primary responsibility to protect its population from genocide, war crimes, ethnic cleansing, and crimes against humanity, and in this regard, *urging* the RTGNU to

expeditiously sign the Memorandum of Understanding with the African Union for the creation of the Hybrid Court for South Sudan,

Expressing deep concern at reports of misappropriation of funds that undermine the stability and security of South Sudan, and that these activities can have a devastating impact on society and individuals, weaken democratic institutions, undermine the rule of law, perpetuate violent conflicts, facilitate illegal activities, divert humanitarian assistance or complicate its delivery, and undermine economic markets,

Taking note of the Final 2020 report (S/2020/342) of the United Nations Panel of Experts,

Determining that the situation in South Sudan continues to constitute a threat to international peace and security in the region,

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

1. *Expresses* deep concern at continued fighting in South Sudan and *condemns* violations of the Revitalised Agreement and the Agreement on Cessation of Hostilities, Protection of Civilians and Humanitarian Access (ACOH);

2. *Urges* South Sudan's leaders to finalize establishment of the RTGNU and fully implement all provisions of the Revitalised Agreement and allow, in accordance with relevant provisions of international law and in line with United Nations guiding principles of humanitarian assistance, including humanity, impartiality, neutrality, and independence, full, safe and unhindered humanitarian access to help ensure timely delivery of humanitarian assistance to all those in need;

Arms Embargo and Inspections

3. *Decides* to renew until 31 May 2021 the measures on arms imposed by paragraph 4 of resolution 2428 (2018), and reaffirms the provisions of paragraph 5 of resolution 2428 (2018);

4. *Decides* to review the measures renewed in paragraph 3 in light of progress achieved implementing all provisions of the Revitalized Agreement, and adherence to the ACOH and ceasefire provisions of the Revitalized Agreement, *further decides* to carry out a midterm review of the measures renewed in paragraph 3 no later than 15 December 2020, and *expresses* its readiness to consider adjusting measures renewed in paragraph 3, including through modifying, suspending, lifting or strengthening measures to respond to the situation;

5. *Requests* in this regard the Secretariat to provide to the Security Council, by 31 October 2020, a report assessing the role of the arms embargo in facilitating implementation of the Revitalised Agreement and articulating options for the elaboration of benchmarks, in coordination with the Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism (CTSAMVM), R-JMEC, and in consultation with the RTGNU, to assess the arms embargo measures according to progress on implementation of the Revitalized Agreement, including adherence to the ACOH and ceasefire provisions of the Revitalized Agreement, and *expresses* its intention to review the options provided to the Council by 15 December 2020;

6. *Stresses* the importance that notifications or requests for exemptions pursuant to paragraph 5 of resolution 2428 (2018) should contain all relevant information, including the purpose of the use, the end user, the technical specifications and quantity of the equipment to be shipped and, when applicable, the supplier, the proposed date of delivery, mode of transportation and itinerary of shipments;

7. *Underscores* that arms shipments in violation of this resolution risk fuelling conflict and contributing to further instability, and *strongly urges* all Member States to take urgent action to identify and prevent such shipments within their territory;

8. *Calls upon* all Member States, in particular States neighbouring South Sudan, to inspect, in accordance with their national authorities and legislation and consistent with international law, in particular the law of the sea and relevant international civil aviation agreements, all cargo to South Sudan, in their territory, including seaports and airports, if the State concerned has information that provides reasonable grounds to believe the cargo contains items the supply, sale, or transfer of which is prohibited by paragraph 4 of resolution 2428 (2018) for the purpose of ensuring strict implementation of these provisions;

9. *Decides* to authorize all Member States to, and that all Member States shall, upon discovery of items the supply, sale, or transfer of which is prohibited by paragraph 4 of resolution 2428 (2018), seize and dispose (such as through destruction, rendering inoperable, storage or transferring to a State other than the originating or destination States for disposal) of such items, and *decides* further that all Member States shall cooperate in such efforts;

10. *Requires* any Member State when it undertakes an inspection pursuant to paragraph 8 of this resolution, to submit promptly an initial written report to the Committee containing, in particular, explanation of the grounds for the inspections, the results of such inspections, and whether or not cooperation was provided, and, if prohibited items for supply, sale, or transfer are found, further *requires* such Member States to submit to the Committee within 30 days a subsequent written report containing relevant details on the inspection, seizure, and disposal, and relevant details of the transfer, including a description of the items, their origin and intended destination, if this information is not in the initial report;

Targeted Sanctions

11. *Decides* to renew until 31 May 2021 the travel and financial measures imposed by paragraphs 9 and 12 of resolution 2206 (2015), and *reaffirms* the provisions of paragraphs 10, 11, 13, 14 and 15 of resolution 2206 (2015), and paragraphs 13, 14, 15 and 16 of resolution 2428 (2018);

12. *Decides* to review the measures renewed in paragraph 11 above in light of progress achieved implementing all provisions of the R-ARCSS and developments related to human rights violations and abuses, *decides* to carry out a midterm review of the measures renewed in paragraph 11 no later than 15 December 2020, and *expresses* its readiness to consider adjusting measures in paragraph 11, including through modifying, suspending, lifting or strengthening measures to respond to the situation;

13. *Underscores* its willingness to impose targeted sanctions in order to support the search for an inclusive and sustainable peace in South Sudan;

14. *Reaffirms* that the provisions of paragraph 9 of resolution 2206 (2015) apply to individuals, and that the provisions of paragraph 12 of resolution 2206 (2015) apply to individuals and entities, as designated for such measures by the Committee established pursuant to paragraph 16 of resolution 2206 (2015) ("the Committee"), as responsible for or complicit in, or having engaged in, directly or indirectly, actions or policies that threaten the peace, security or stability of South Sudan, and *further reaffirms* that the provisions of paragraphs 9 and 12 of resolution 2206 (2015) apply to individuals, as designated for such measures by the Committee, who are leaders or members of any entity, including any South Sudanese government, opposition,

militia, or other group, that has, or whose members have, engaged in any of the activities described in this paragraph and paragraph 15;

15. *Underscores* that such actions or policies as described in paragraph 14 above may include, but are not limited to:

(a) Actions or policies that have the purpose or effect of expanding or extending the conflict in South Sudan or obstructing reconciliation or peace talks or processes, including breaches of the Revitalized Agreement or ACOH;

(b) Actions or policies that threaten transitional agreements or undermine the political process in South Sudan, including Chapter 4 of the Revitalised Agreement;

(c) Planning, directing, or committing acts that violate applicable international human rights law or international humanitarian law, or acts that constitute human rights abuses, in South Sudan;

(d) The targeting of civilians, including women and children, through the planning, directing, or commission of acts of violence (including killing, maiming, torture, or rape), abduction, enforced disappearance, forced displacement, or attacks on schools, hospitals, religious sites, or locations where civilians are seeking refuge, or through other conduct that would constitute a serious abuse of human rights, a violation of international human rights law or a violation of international humanitarian law;

(e) Planning, directing, or committing acts involving sexual and gender-based violence in South Sudan;

(f) The use or recruitment of children by armed groups or armed forces in the context of the armed conflict in South Sudan;

(g) The obstruction of the activities of international peacekeeping, diplomatic, or humanitarian missions in South Sudan, including the Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism or of the delivery or distribution of, or access to, humanitarian assistance;

(h) Attacks against United Nations missions, international security presences, or other peacekeeping operations, or humanitarian personnel;

(i) Acting for or on behalf of, directly or indirectly, an individual or entity designated by the Committee; or

(j) Engagement by armed groups or criminal networks in activities that destabilize South Sudan through the illicit exploitation or trade of natural resources;

16. *Expresses* concerns at reports of misappropriation and diversion of public resources which pose a risk to the peace, security, and stability of South Sudan, *expresses* serious concern at reports of financial impropriety, lack of transparency, oversight and financial governance, which pose a risk to the peace, stability, and security of South Sudan, and are out of compliance with Chapter IV of the Revitalised Agreement, and in this context, *underscores* that individuals engaged in actions or policies that have the purpose or effect of expanding or extending the conflict in South Sudan may be listed for travel and financial measures;

Sanctions Committee/Panel of Experts

17. *Emphasizes* the importance of holding regular consultations with concerned Member States, international and regional and subregional organizations, as well as the United Nations Mission in South Sudan (UNMISS), as may be necessary, in particular neighbouring and regional States, in order to ensure the full implementation of the measures in this resolution, and in that regard encourages the

Committee to consider, where and when appropriate, visits to selected countries by the Chair and/or Committee members;

18. *Decides* to extend until 1 July 2021 the mandate of the Panel of Experts as set out in paragraph 19 of resolution 2428 (2018), and *decides* that the Panel of Experts should provide to the Council, after discussion with the Committee, an interim report by 1 December 2020, a final report by 1 May 2021, and except in months when these reports are due, updates each month;

19. *Requests* the Panel of experts to include the necessary gender expertise, in line with paragraph 6 of resolution 2242 (2015), and *encourages* the Panel to integrate gender as a cross-cutting issue across its investigations and reporting;

20. *Calls upon* all parties and all Member States, especially those neighbouring South Sudan, as well as international, regional and subregional organizations to ensure cooperation with the Panel of Experts, including by providing any information on illicit transfers of wealth from South Sudan into financial, property and business networks and *further urges* all Member States involved to ensure the safety of the members of the Panel of Experts and unhindered access, in particular to persons, documents and sites in order for the Panel of Experts to execute its mandate;

21. *Requests* the Special Representative of the Secretary-General for Children and Armed Conflict and the Special Representative for Sexual Violence in Conflict to share relevant information with the Committee in accordance with paragraph 7 of resolution 1960 (2010) and paragraph 9 of resolution 1998 (2011), and *invites* the High Commissioner for Human Rights to share relevant information with the Committee, as appropriate;

22. *Recalls* the mandate of UNMISS as outlined in resolution 2514 (2020), in particular paragraph 8 (d) regarding monitoring, investigating, verifying and reporting on abuses and violations of human rights and violations of international humanitarian law;

23. *Encourages* timely information exchange between UNMISS and the Panel of Experts, and *requests* UNMISS to assist the Committee and the Panel of Experts, within its mandate and capabilities;

24. *Invites* the Joint Monitoring and Evaluation Commission (JMEC) to share relevant information with the Council, as appropriate, on its assessment of the parties' implementation of the Revitalised Agreement, adherence to the ACOH, and the facilitation of unhindered and secure humanitarian access, also *expresses* its intent to continue to impose any sanctions that may be appropriate to respond to the situation;

25. *Decides* to remain seized of the matter.