

**Security Council**

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**Letter dated 21 December 2006 from the Chairman of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire addressed to the President of the Security Council**

I have the honour to transmit herewith the report of the Committee in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234) (see annex). The report, which contains an account of the Committee's activities from 1 January to 31 December 2006, was adopted by the Committee on 20 December 2006.

In this connection, I would appreciate it if the present letter and its annex were brought to the attention of the members of the Council and issued as a document of the Council.

(Signed) Adamantios Th. **Vassilakis**  
Chairman

Security Council Committee established pursuant to  
resolution 1572 (2004) concerning Côte d'Ivoire



## Annex

### **Report of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire**

#### **I. Introduction**

1. The present report of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire covers the period from 1 January to 31 December 2006.

2. For 2006, the Committee's Bureau consisted of Adamantios Th. Vassilakis (Greece) as Chairman and the members of the delegations of Denmark and the United Republic of Tanzania as Vice-Chairmen.

#### **II. Background**

3. By its resolution 1572 (2004), the Security Council imposed an arms embargo, with immediate effect, as well as travel restrictions and an assets freeze on designated individuals and entities, to take effect on 15 December 2004.

4. By paragraph 14 of resolution 1572 (2004), the Council established a Sanctions Committee to: (a) designate and make public a list of individuals and entities subject to the targeted measures; (b) seek information from States and entities on their implementation of the measures; (c) consider and decide upon requests for exemptions to the arms embargo and other targeted measures; (d) promulgate guidelines for the conduct of the Committee's work; and (e) report to the Council regularly on its work, with recommendations and observations on ways to strengthen the effectiveness of the measures.

5. By its resolution 1584 (2005), the Security Council authorized the United Nations Operation in Côte d'Ivoire (UNOCI) and the supporting French forces to monitor the arms embargo imposed by the Council in resolution 1572 (2004), which required all countries to prevent the direct or indirect supply, sale or transfer to Côte d'Ivoire of arms or any related materiel.

6. Also by resolution 1584 (2005), the Security Council requested the Secretary-General, in consultation with the Committee, to set up a group of experts to, inter alia, examine the information gathered by UNOCI and the French forces in the context of the monitoring mandate of the Committee; gather and analyse all relevant information on Côte d'Ivoire and countries in the region and, as necessary, in other countries, on violations of the arms embargo; and consider and recommend ways of improving the capability of States, in particular those in the region, to ensure the effective implementation of the measures imposed. On 23 September 2005, the Group of Experts submitted its report (S/2005/699) to the Committee and on 18 October 2005, by resolution 1632 (2005), the Council extended the Group's mandate until 15 December 2005, pursuant to which, on 29 November 2005, the Group submitted its update report (S/2006/204) to the Committee.

7. By its resolution 1643 (2005), the Security Council renewed the arms embargo, as well as the travel ban and the assets freeze imposed by it respectively in paragraphs 9 and 11 of resolution 1572 (2004). In paragraph 6 of resolution 1643

(2005), the Council imposed an embargo on the import of all rough diamonds from Côte d'Ivoire and in paragraph 9 of the same resolution, requested the Secretary-General to establish an expanded group of experts for six months with the additional task of monitoring the embargo on diamonds. The Group of Experts submitted its final report to the Committee on 16 August 2006 (S/2006/735).

8. By paragraph 4 of resolution 1643 (2005), the Council decided that any obstacle to the freedom of movement of UNOCI and of the French forces, as well as any attack on UNOCI, the French forces, the High Representative for the elections in Côte d'Ivoire and the International Working Group, constituted a threat to the peace and national reconciliation process for the purpose of the measures imposed by the Council in paragraphs 9 and 11 of resolution 1572 (2004).

9. On 14 September 2006, by resolution 1708 (2006), the Council extended the mandate of the Group of Experts until 15 December 2006 and requested that the Group submit an update report on the implementation of the measures imposed by the Council in paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraphs 4 and 6 of resolution 1643 (2005), with recommendations in this regard. The Group of Experts submitted its update report to the Committee on 27 November 2006 (S/2006/964).

10. On 15 December 2006, by resolution 1727 (2006), the Council renewed until 31 October 2007 the arms embargo, the travel and financial sanctions, as well as the embargo on the import of all rough diamonds originating in Côte d'Ivoire. By paragraph 7 of the same resolution, the Council decided to extend the mandate of the Group of Experts for a further six months. The Group was requested to report to the Security Council in writing, through the Committee, before 15 June 2007, on the implementation of the measures imposed by the Council in paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraphs 4 and 6 of resolution 1643 (2005).

## **A. Summary of the activities of the Committee**

11. In 2006, the Committee held two formal meetings and nine informal consultations. At its 8th formal meeting, and during informal consultations held on 23 January 2006, the Committee considered the implementation of the targeted measures, which led, on 7 February 2006, to the adoption of the list of individuals and entities subject to the measures imposed by the Council in paragraphs 9 and 11 of resolution 1572 (2004). On 9 February 2006, Member States were informed in a note verbale from the Chairman of the adoption of the list.

12. At informal consultations held on 14 March 2006, the Committee received a briefing from the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator on his recent visit to Côte d'Ivoire. Taking note of the climate of impunity and of the continuing incitation to violence by local media, the Committee issued a press release on 16 March 2006, and on 23 March wrote to the Permanent Representative of Côte d'Ivoire requesting explanations from the Ivorian authorities on the incidents that had occurred in February between the National Armed Forces of Côte d'Ivoire (FANCI) and the French forces.

13. On 16 March 2006, the Committee sent a note verbale to all Member States, reminding them, *inter alia*, that pursuant to paragraph 7 of resolution 1643 (2005) all States concerned, in particular those in the region, had an obligation to report to the

Committee on the implementation of the measures imposed by the Council in paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraphs 4 and 6 of resolution 1643 (2005). To date, 23 States have submitted reports to the Committee pursuant to resolution 1643 (2005) (see enclosure).

14. On 24 March 2006, the Committee held informal consultations to further consider the update report of the Group of Experts (S/2006/204), submitted pursuant to paragraph 2 of resolution 1632 (2005), as well as to discuss communications received from Bulgaria, Guinea, Belarus and Togo related to the previous report of the Group of Experts (S/2005/699) and from the Chairman of the Kimberley Process in connection with Côte d'Ivoire's participation in the three-year review of the Kimberley Process Certification Scheme. The Committee decided to send letters to the Permanent Representative of Côte d'Ivoire and to the company Darkwood Logistique in connection with a previous request for information concerning the ownership of the aircraft mentioned in the report of the Group of Experts (S/2005/699). It was also agreed that a letter would be addressed to the Secretary-General of the Forces Nouvelles recalling the 30-day deadline for providing the list of armaments, in accordance with paragraph 8 of resolution 1584 (2005) and paragraph 2 of resolution 1643 (2005).

15. On 10 May 2006, the Committee received a letter from the Under-Secretary-General for Peacekeeping Operations transmitting a list of armaments submitted to UNOCI by the Forces Nouvelles. The United Nations Operation in Côte d'Ivoire expressed reservations with respect to the accuracy of the above-mentioned list.

16. At its 9th formal meeting, held on 17 May 2006, the Committee undertook its quarterly review of the list of individuals subject to the measures imposed by the Council in paragraphs 9 and 11 of resolution 1572 (2004) and considered a note verbale from the Permanent Mission of Austria, in its capacity as Presidency of the European Union, conveying additional information concerning targeted individuals. On 30 May 2006, the list was updated to reflect the information conveyed, and Member States were informed by a note verbale.

17. During informal consultations on 17 May 2006, the Committee considered the report of the Permanent Representative of Côte d'Ivoire to the United Nations on the incidents that had occurred between FANCI and the French forces in February 2006, following his briefing to the Committee at informal consultations on 12 April 2006. The Committee also received a briefing from the Department of Peacekeeping Operations concerning the same incidents, as well as recent episodes of incitation to hatred by local media. The Committee agreed that it would send a letter to the Permanent Representative of Côte d'Ivoire seeking information on the measures his Government intended to adopt both in connection with the incidents and in order to prevent further dissemination by local media of messages of incitation to violence. The Committee also discussed and agreed to respond to a letter received from the Chairman of the Group of Experts seeking guidance from the Committee on a number of case studies contained in the Group's report (S/2006/204), concerning dual-use items and whether their import into Côte d'Ivoire constituted a violation of the arms embargo.

18. At informal consultations held on 14 June 2006, the Committee received and discussed the midterm report of the Group of Experts, pursuant to paragraph 9 (e) of resolution 1643 (2005).

19. The final report of the Group of Experts, submitted pursuant to paragraph 9 of resolution 1643 (2005), was discussed by the Committee on 12 September and 4 October 2006. The Committee agreed to send a note verbale to Member States drawing attention to the report. It was agreed that letters would be sent as follows to: (a) the Permanent Representative of Belarus to the United Nations concerning the possible involvement of Belarus nationals in providing technical assistance to FOCI; (b) the Permanent Representatives of Hungary and Seychelles to the United Nations in connection with the investigations of the Group of Experts regarding a false end-user certificate issued by Burkina Faso indicating as official broker the company IVH Trading Ltd., registered in Seychelles and linked to the Hungarian-registered company, Ivory Hill Trading Ltd.; (c) the Permanent Representative of Ukraine to the United Nations requesting information on the alleged provision by IVH Trading Ltd. of up to 200 Ukrainian nationals to assist the Government of Côte d'Ivoire in maintaining military assets in violation of the arms embargo; (d) the Permanent Representatives of Ghana and Mali to the United Nations recommending the establishment of credible systems of internal controls to prevent the entry into their territories of Ivorian rough diamonds; (e) the Chairman of the Kimberley Process suggesting that the West African systems of internal controls on rough diamonds be dealt with at the next Kimberley plenary meeting in Botswana; (f) the Permanent Representatives of Liberia and Guinea to the United Nations requesting information on the measures adopted to implement the targeted measures; (g) the Permanent Representative of Burkina Faso to the United Nations in connection with false end-user certificate 732, purportedly issued by the Ministry of Security; (h) the Permanent Representative of Côte d'Ivoire to the United Nations requesting that the Group of Experts be provided access to the sites relevant to its investigations, as well as seeking information concerning the implementation of the targeted measures; (i) the Permanent Representative of Belgium to the United Nations requesting information on two individuals under investigations by Belgian authorities for alleged exports of rough diamonds from Côte d'Ivoire in violation of resolution 1643 (2005); (j) the Special Representative of the Secretary-General for Côte d'Ivoire in connection with UNOCI arms embargo inspection procedures, as well as the testing of the FOCI Mi-24 helicopter; (k) the Special Representative of the Secretary-General for Liberia concerning the recruitment of Liberians by a pro-Government militia in Côte d'Ivoire and suggesting increased inter-mission coordination with UNOCI for the monitoring of the Liberian-Ivorian border; (l) the Fond de développement et de promotion des activités des producteurs de café et de cacao (FDPCC), as well as to the Fonds de régulation et de contrôle concerning a lack of fiscal transparency pertaining to cocoa revenues.

20. At informal consultations held on 6 and 8 December 2006, the Committee considered the update report of the Group of Experts and a communication from the Permanent Mission of Côte d'Ivoire concerning a request for an exemption to the arms embargo for the procurement of military equipment for the National Police of Côte d'Ivoire. The Committee also discussed the following communications received in response to the Chairman's letters of 23 October: from the Permanent Mission of Belarus, stating that all necessary measures had been taken to ensure unconditional implementation of the measures contained in resolution 1572 (2004), including recalling from Côte d'Ivoire the technicians previously assigned there; from the Permanent Mission of Belgium, stating that it had been unable to identify the judicial investigation referred to in paragraph 149 of the Group's report; from the Permanent Mission of Hungary, stating that it had found no evidence that the

Hungarian-registered Ivory Hill Trading Ltd. had violated Hungarian rules and regulations on arms export, or had violated the relevant Security Council measures; from the Permanent Mission of Seychelles noting that it had no record of registration for Ivory Hill Trading Ltd. and requesting to be provided with a copy of the company's incorporation certificate; from the Permanent Mission of Ukraine refuting the allegations of embargo violations contained in the Group's report; from the legal representative of FDPCC stating that the only off-budget expenditures made available by FDPCC were paid in a transparent manner in 2002 in response to calls for national solidarity; and from the Chairman of the Kimberley Process stating that its continuing response to the production and export of diamonds from the northern part of Côte d'Ivoire would be discussed at the forthcoming plenary meeting in Gaborone. Responses from the Chairman's letters were also received from the Special Representatives of the Secretary-General for Côte d'Ivoire and Liberia. The Committee also discussed a letter from the Permanent Mission of Finland to the United Nations, in its capacity as Presidency of the European Union, conveying additional information concerning one of the targeted individuals.

21. Also at informal consultations on 6 December 2006, the Committee agreed to send letters as follows to: (a) the Permanent Representative of Côte d'Ivoire, conveying the correct procedures for requesting an exemption to the arms embargo and requesting that the Gendarmerie cooperate with UNOCI in allowing inspections and in providing an update on the investigation of the ammunition seized, as well as requesting that FACI coordinate with UNOCI to ensure that future flight tests of the FACI Mi-24 helicopter were conducted in a transparent manner, after approval for such tests is granted by the Committee; requesting that individual exemptions be requested from the Committee to authorize foreign military technical assistance; and requesting that the Gendarmerie provide unimpeded access to UNOCI and to the Group of Experts; (b) UNOCI, stating that there should be no flights of FACI Mi-24 aircraft without prior approval by the Committee, noting that the creation of an embargo unit is a useful start and suggesting that UNOCI engage a maritime customs consultant to assist with embargo monitoring at ports; (c) the Chief of Staff of Forces Nouvelles, recalling the obligation of all actors to cooperate and requesting that unimpeded access for inspections be provided to UNOCI and to the Group of Experts; and (d) the Permanent Mission of Ghana to the United Nations, expressing appreciation for the information provided by the Bank of Ghana concerning the assets freeze, and requesting that the Committee and Group of Experts be kept informed on the implementation of the relevant measures.

22. On 12 December 2006, the Chairman of the Committee briefed the Security Council in informal consultations on the activities of the Committee and on the latest reports of the Group of Experts as part of the Council's review of the sanctions regime, pursuant to paragraph 8 of resolution 1643 (2005).

23. On 18 December 2006, the Committee approved an updated list of individuals and entities subject to the measures imposed by the Council in paragraphs 9 and 11 of resolution 1572 (2004) and paragraph 4 of resolution 1643 (2005) and on 20 and 21 December 2006, respectively, issued a press release and informed Member States in a note verbale.

24. During the reporting period, the Committee considered UNOCI monthly arms embargo and media monitoring reports, in accordance with paragraphs 2 and 9 of resolution 1584 (2005) and paragraph 6 of resolution 1572 (2004).

## **B. Violations and alleged violations of the sanctions regime**

25. In its final report, the Group of Experts reported that several thousand rounds of unmarked ammunition, originally imported in Côte d'Ivoire for UNOCI, had been looted during the siege of the Banbat-2 Camp in Guiglo in January 2006 and were currently in FANCI and militia possession. In the same report, the Group also observed that two reported episodes of potential recruitment of Liberians for the pro-Government militia LIMA FS were credible.

26. In its latest report, the Group of Experts documented three violations of the arms embargo. In October 2006, the National Police of Côte d'Ivoire prepared to import ammunition and tear gas from the Islamic Republic of Iran via a broker of Belgian nationality registered in the British Virgin Islands and based in South Africa. The Group also found evidence of the importation of small-arms ammunition into Côte d'Ivoire by an individual of Ivorian nationality currently being prosecuted in the United States of America. The Group noted that it had received confirmation from the Government of Côte d'Ivoire that it currently engaged three foreign technicians for the maintenance of its Mi-24 helicopter and, in 2005, for maintenance of ground-to-air equipment. The Group recommended that an exemption system be established under the authority of the Committee to permit test flights of the Mi-24 helicopter, as well as technical assistance from individuals of foreign or dual nationality. The Group also identified a French national who had facilitated the procurement of technicians for ground-to-air equipment and a Belarusian national, whose Ivorian diplomatic passport declared him as an employee of the Ivorian Ministry of Defence.

27. The Group noted in its update report that the creation of an embargo cell by UNOCI had considerably improved its embargo inspections procedures. The Group further noted that the ports of Abidjan and San Pedro were wide open to abuse and that the Group continued to experience problems with the Gendarmerie and FANCI with regard to inspections. The Group believed that there had been an improvement in the Government's financial disclosure and expenditure transparency and that this had contributed to a tightening of security and defence expenditures.

28. The Group concluded that Ivorian rough diamonds were being exported to Ghana and Mali in violation of the United Nations embargo. The Group also observed that the targeting of three individuals in February 2006 appeared to have had a calming effect on the violence in Côte d'Ivoire. The Group further expressed the view that the targeting of additional individuals without an effective monitoring system in place in neighbouring States could be counterproductive. The Group found that in most cases, neighbouring countries had not disseminated information about the targeted individuals to their local authorities at border posts.

**Enclosure****Replies received in accordance with paragraph 7 of resolution 1643 (2005)**

<i>State</i>	<i>Date of communication</i>	<i>Symbol</i>
Brazil	13 February 2006	S/AC.45/2006/1
Singapore	10 March 2006	S/AC.45/2006/2
Japan	14 March 2006	S/AC.45/2006/3
	20 October 2006	S/AC.45/2006/3/Add.1
Russian Federation	29 March 2006	S/AC.45/2006/4
Bulgaria	4 April 2006	S/AC.45/2006/5
Kuwait	10 April 2006	S/AC.45/2006/6
Slovakia	13 April 2006	S/AC.45/2006/7
Cuba	4 April 2006	S/AC.45/2006/8
Slovenia	19 April 2006	S/AC.45/2006/9
Norway	12 April 2006	S/AC.45/2006/10
Switzerland	27 April 2006	S/AC.45/2006/11
Cyprus	27 April 2006	S/AC.45/2006/12
Italy	11 May 2006	S/AC.45/2006/13
Denmark	22 May 2006	S/AC.45/2006/14
Austria	24 May 2006	S/AC.45/2006/15
Sweden	7 June 2006	S/AC.45/2006/16
Belgium	18 July 2006	S/AC.45/2006/17
Ukraine	26 July 2006	S/AC.45/2006/18
Germany	18 August 2006	S/AC.45/2006/19
Greece	1 September 2006	S/AC.45/2006/20
Argentina	5 October 2006	S/AC.45/2006/21
Hungary	8 November 2006	S/AC.45/2006/22
South Africa	22 November 2006	S/AC.45/2006/23