

## **LEGISLATIVE COUNCIL BRIEF**

### **United Nations Sanctions Ordinance (Chapter 537)**

### **UNITED NATIONS SANCTIONS (CENTRAL AFRICAN REPUBLIC) REGULATION**

## **INTRODUCTION**

A At the meeting of the Executive Council on 8 April 2014, the Council advised and the Chief Executive (“the CE”) ordered that the United Nations Sanctions (Central African Republic) Regulation (“the Regulation”), at Annex A, should be made under section 3 of the United Nations Sanctions Ordinance (Cap. 537) (“the Ordinance”) to give effect to the instructions from the Ministry of Foreign Affairs of the People's Republic of China (“MFA”). The Regulation was gazetted on 11 April 2014 and came into operation on the same day.

## **BACKGROUND**

### **Obligation and Authority**

B 2. Under section 3(1) of the Ordinance, the CE is required to make regulations to give effect to an instruction from the MFA to implement sanctions decided by the Security Council of the United Nations (“UNSC”). In December 2013 and February 2014, the CE received two instructions from the MFA requesting the Government of the Hong Kong Special Administrative Region (“HKSAR”) to implement respectively UNSC Resolutions (“UNSCRs”) 2127 and 2134 in respect of the Central African Republic. The Regulation was made to give effect to the instructions. A document issued by the Chief Secretary for Administration confirming the MFA’s instructions is at Annex B.

### **Sanctions against the Central African Republic**

#### **UNSCR 2127**

3. Concerned with the continuing deterioration of the security

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situation in the Central African Republic and its consequences on the central African region and beyond, the UNSC adopted UNSCR 2127 (at Annex C) on 5 December 2013 to impose sanctions against the Central African Republic. The UNSC, inter alia, decided that –

- (a) for an initial period of one year from the date of adoption of UNSCR 2127, all Member States shall immediately take the necessary measures to prevent the direct or indirect supply, sale or transfer to the Central African Republic, from or through their territories or by their nationals, or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, and technical assistance, training, financial or other assistance, related to military activities or the provision, maintenance or use of any arms and related materiel, including the provision of armed mercenary personnel whether or not originating in their territories, and that this measure shall not apply to (*paragraph 54 of UNSCR 2127 refers*) –
  - (i) supplies intended solely for the support of or use by the Mission for the Consolidation of Peace in the Central African Republic (“MICOPAX”), the African-led International Support Mission in the Central African Republic (“MISCA”), the United Nations Integrated Peacebuilding Office in the Central African Republic (“BINUCA”) and its guard unit, the African Union-Regional Task Force (“AU-RTF”), and the French forces deployed in the Central African Republic;
  - (ii) supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training, as approved in advance by the Committee established pursuant to paragraph 57 of UNSCR 2127 (“the Committee”);
  - (iii) protective clothing, including flak jackets and military helmets, temporarily exported to the Central African Republic by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, for their personal use only;
  - (iv) supplies of small arms and other related equipment intended solely for use in international patrols providing

security in the Sangha River Tri-national Protected Area to defend against poaching, smuggling of ivory and arms, and other activities contrary to the national laws of the Central African Republic or the Central African Republic's international legal obligations;

- (v) supplies of arms and other related lethal equipment to the Central African Republic security forces, intended solely for support of or use in the Central African Republic process of the Security Sector Reform (“SSR”), as approved in advance by the Committee; or
  - (vi) other sales or supply of arms and related materiel, or provision of assistance or personnel, as approved in advance by the Committee; and
- (b) all Member States shall, upon discovery of items prohibited by paragraph 3(a), seize, register and dispose (such as through destruction, rendering inoperable, storage or transferring to a State other than the originating or destination States for disposal) items the supply, sale, transfer or export of which is prohibited by paragraph 3(a) (*paragraph 55 of UNSCR 2127 refers*).

#### **UNSCR 2134**

4. Determining that the situation in the Central African Republic continues to constitute a threat to international peace and security in the region, the UNSC expanded the sanctions against the Central African Republic via the adoption of UNSCR 2134 (at Annex D) on 28 January 2014. The UNSC, inter alia, decided that –

- (a) for an initial period of one year from the date of the adoption of UNSCR 2134, all Member States shall take the necessary measures to prevent the entry into or transit through their territories of individuals designated by the Committee, provided that nothing in this paragraph shall oblige a State to refuse its own nationals entry into its territory, subject to exceptions (*paragraphs 30 and 31 of UNSCR 2134 refer*);
- (b) for an initial period of one year from the date of the adoption of UNSCR 2134, all Member States shall freeze without delay all funds, other financial assets and economic resources which are on their territories, which are owned or controlled, directly or

indirectly, by the individuals or entities designated by the Committee, or by individuals or entities acting on their behalf or at their direction, or by entities owned or controlled by them; and ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any individuals or entities within their territories, to or for the benefit of the individuals or entities designated by the Committee, subject to exceptions (*paragraphs 32, 33, 34 and 35 of UNSCR 2134 refer*);

- (c) the arms embargo and prohibition against provision of assistance or training, etc. in respect of the Central African Republic imposed by paragraph 54 of UNSCR 2127, and the seizure and forfeiture measures imposed by paragraph 55 of UNSCR 2127 shall be extended for a period of one year from the date of the adoption of UNSCR 2134. The relevant sanctions imposed by paragraph 54 of UNSCR 2127 shall not apply to supplies intended solely for the support of or use by the European Union operation (*paragraph 40 of UNSCR 2134 refers*).

## THE REGULATION

5. The Regulation, at Annex A, seeks to implement the sanctions against the Central African Republic as per UNSCRs 2127 and 2134. The main provisions of the Regulation include -

- (a) **sections 2 and 3**, which prohibit the supply, sale, transfer and carriage of prohibited goods (i.e. arms or related materiel) to the Central African Republic or certain persons;
- (b) **section 4**, which prohibits the provision of assistance or training related to military activities or to the provision, maintenance or use of any prohibited goods to certain persons;
- (c) **section 5**, which provides for prohibition against making available to certain persons or entities funds or other financial assets or economic resources, or dealing with funds or other financial assets or economic resources of certain persons or entities;
- (d) **section 6**, which prohibits the entry into or transit through the HKSAR by certain persons;

- (e) **section 7**, which provides for exceptions to the prohibition against the entry into or transit through the HKSAR by certain persons;
- (f) **sections 8 to 10**, which provide for the granting of licences for the supply, sale, transfer or carriage of prohibited goods; for the provision of assistance or training to certain persons; for making available to certain persons or entities funds or other financial assets or economic resources, or dealing with funds or other financial assets or economic resources of certain persons or entities;
- (g) **section 32**, which provides that the CE may by notice published in the Gazette specify as a relevant person or a relevant entity a person or an entity designated by the Committee for the purpose of the financial sanctions under the Regulation; and
- (h) **section 34**, which provides that the Regulation would expire at midnight on 27 January 2015.

## **IMPLICATIONS OF THE PROPOSAL**

6. The proposal is in conformity with the Basic Law, including the provisions concerning human rights. The Regulation will not affect the current binding effect of the Ordinance. It has no financial, economic, productivity, environmental, sustainability or family implications. Additional work arising from the enforcement of the Regulation, if any, will be absorbed by the relevant departments with existing resources.

## **PUBLICITY**

7. A press release was issued on 11 April 2014 when the Regulation was published in the Gazette.

## **INFORMATION ON THE CENTRAL AFRICAN REPUBLIC AND RELATION WITH HKSAR**

8. For information on the Central African Republic, background of the sanction regime against the country as well as its bilateral trade relation with the HKSAR, please refer to Annex E.

## **ADVICE SOUGHT**

9. Members are invited to note the implementation of UNSCRs 2127 and 2134 in the HKSAR by the Regulation.

**Commerce and Economic Development Bureau**  
**April 2014**

## United Nations Sanctions (Central African Republic) Regulation

L.N. 51 of 2014  
B515

L.N. 51 of 2014

**United Nations Sanctions (Central African Republic)  
Regulation****Contents**

Section	Page
<b>Part 1</b>	
<b>Preliminary</b>	
1. Interpretation .....	B523
<b>Part 2</b>	
<b>Prohibitions</b>	
2. Prohibition against supply, sale or transfer of certain goods.....	B531
3. Prohibition against carriage of certain goods .....	B533
4. Prohibition against provision of certain assistance or training.....	B539
5. Prohibition against making available funds, etc. or dealing with funds, etc.....	B541
6. Prohibition against entry or transit by certain persons.....	B545
7. Exceptions to prohibition against entry or transit by certain persons .....	B547

## United Nations Sanctions (Central African Republic) Regulation

L.N. 51 of 2014  
B517

Section	Page
<b>Part 3</b>	
<b>Licences</b>	
8. Licence for supply, sale, transfer or carriage of certain goods.....	B549
9. Licence for provision of certain assistance or training .....	B553
10. Licence for making available funds, etc. to certain persons or entities or dealing with funds, etc. of certain persons or entities.....	B553
11. Provision of false information or documents for purpose of obtaining licences .....	B557
<b>Part 4</b>	
<b>Things Done outside HKSAR</b>	
12. Licence or permission granted by authorities of places outside HKSAR.....	B561
<b>Part 5</b>	
<b>Enforcement of Regulation</b>	
<b>Division 1—Investigation, etc. of Suspected Ships</b>	
13. Investigation of suspected ships.....	B563
14. Offences by charterer, operator or master of ship .....	B567
15. Power of authorized officers to enter and detain ships.....	B567
<b>Division 2—Investigation, etc. of Suspected Aircraft</b>	
16. Investigation of suspected aircraft .....	B569

United Nations Sanctions (Central African Republic) Regulation

L.N. 51 of 2014  
B519

Section	Page
17. Offences by charterer, operator or pilot in command of aircraft .....	B571
18. Power of authorized officers to enter and detain aircraft .....	B571
<b>Division 3—Investigation, etc. of Suspected Vehicles</b>	
19. Investigation of suspected vehicles .....	B573
20. Offences by operator or driver of vehicle .....	B575
21. Power of authorized officers to enter and detain vehicles .....	B575
<b>Division 4—Proof of Identity</b>	
22. Production of proof of identity .....	B577
<b>Part 6</b>	
<b>Evidence</b>	
23. Power of magistrate or judge to grant warrant .....	B579
24. Seized articles, etc. liable to forfeiture .....	B581
25. Power of magistrate or judge to make order for forfeiture and disposal .....	B585
26. Detention of documents, cargoes or articles seized .....	B587
<b>Part 7</b>	
<b>Disclosure of Information or Documents</b>	
27. Disclosure of information or documents .....	B589
<b>Part 8</b>	
<b>Other Offences and Miscellaneous Matters</b>	
28. Liability of persons other than principal offenders .....	B593

United Nations Sanctions (Central African Republic) Regulation

L.N. 51 of 2014  
B521

Section	Page
29. Offences in relation to obstruction of authorized persons, etc. ....	B593
30. Offences in relation to evasion of this Regulation .....	B593
31. Consent and time limit for proceedings .....	B595
32. Specification of relevant person or relevant entity by Chief Executive .....	B595
33. Exercise of powers of Chief Executive .....	B595
<b>Part 9</b>	
<b>Duration</b>	
34. Duration .....	B597



## United Nations Sanctions (Central African Republic) Regulation

(Made by the Chief Executive under section 3 of the United Nations Sanctions Ordinance (Cap. 537) on the instruction of the Ministry of Foreign Affairs of the People's Republic of China and after consultation with the Executive Council)

### Part 1

#### Preliminary

#### 1. Interpretation

In this Regulation—

**arms or related materiel** (軍火或相關的物資) includes—

- (a) any weapon, ammunition, military vehicle, military equipment or paramilitary equipment; and
- (b) any spare part for any item specified in paragraph (a);

**authorized officer** (獲授權人員) means—

- (a) a police officer;
- (b) a member of the Customs and Excise Service holding an office specified in Schedule 1 to the Customs and Excise Service Ordinance (Cap. 342); or
- (c) a public officer employed in the Customs and Excise Department in the Trade Controls Officer Grade;

**Commissioner** (關長) means the Commissioner of Customs and Excise, any Deputy Commissioner of Customs and Excise or any Assistant Commissioner of Customs and Excise;

**Committee** (委員會) means the Committee of the Security Council established under paragraph 57 of Resolution 2127;

**economic resources** (經濟資源) means assets of every kind, whether tangible or intangible, movable or immovable, which are not funds but can be used to obtain funds, goods or services;

**funds** (資金) includes—

- (a) gold coin, gold bullion, cash, cheques, claims on money, drafts, money orders and other payment instruments;
- (b) deposits with financial institutions or other entities, balances on accounts, debts and debt obligations;
- (c) securities and debt instruments (including stocks and shares, certificates representing securities, bonds, notes, warrants, debentures, debenture stock and derivatives contracts);
- (d) interest, dividends or other income on or value accruing from or generated by property;
- (e) credit, rights of set-off, guarantees, performance bonds or other financial commitments;
- (f) letters of credit, bills of lading and bills of sale; and
- (g) documents evidencing an interest in funds or financial resources, and any other instrument of export financing;

**licence** (特許) means a licence granted under section 8(1)(a) or (b), 9(1) or 10(1);

**master** (船長), in relation to a ship, includes any person (other than a pilot) for the time being in charge of the ship;

**operator** (營運人), in relation to a ship, aircraft or vehicle, means the person for the time being having the management of the ship, aircraft or vehicle;

**person connected with the Central African Republic** (有關連人士) means—

- (a) the Government of the Central African Republic;

United Nations Sanctions (Central African Republic) Regulation

Part 1  
Section 1

L.N. 51 of 2014  
B527

- (b) any person in, or resident in, the Central African Republic;
- (c) any body incorporated or constituted under the law of the Central African Republic;
- (d) any body, wherever incorporated or constituted, which is controlled by—
  - (i) the Government mentioned in paragraph (a);
  - (ii) a person mentioned in paragraph (b); or
  - (iii) a body mentioned in paragraph (c); or
- (e) any person acting on behalf of—
  - (i) the Government mentioned in paragraph (a);
  - (ii) a person mentioned in paragraph (b); or
  - (iii) a body mentioned in paragraph (c) or (d);

**pilot in command** (機長), in relation to an aircraft, means the pilot designated by the operator or the owner, as appropriate, as being in charge of the aircraft without being under the direction of any other pilot in the aircraft and charged with the safe conduct of a flight;

**prohibited goods** (禁制物品) means any arms or related materiel;

**relevant entity** (有關實體) means—

- (a) an entity specified by the Chief Executive as a relevant entity in accordance with section 32; or
- (b) an entity acting on behalf of, or at the direction of, or owned or controlled by, a person or entity specified by the Chief Executive as a relevant person or relevant entity in accordance with section 32;

**relevant person** (有關人士) means—

- (a) a person specified by the Chief Executive as a relevant person in accordance with section 32; or

United Nations Sanctions (Central African Republic) Regulation

Part 1  
Section 1

L.N. 51 of 2014  
B529

- (b) a person acting on behalf of, or at the direction of, a person or entity specified by the Chief Executive as a relevant person or relevant entity in accordance with section 32;

**Resolution 2127** (《第2127號決議》) means Resolution 2127 (2013) adopted by the Security Council on 5 December 2013;

**Resolution 2134** (《第2134號決議》) means Resolution 2134 (2014) adopted by the Security Council on 28 January 2014;

**Security Council** (安全理事會) means the Security Council of the United Nations;

**small arms** (小型軍火) means any arms specified in items ML1 and ML2 of the Munitions List in Schedule 1 to the Import and Export (Strategic Commodities) Regulations (Cap. 60 sub. leg. G).

**Part 2****Prohibitions****2. Prohibition against supply, sale or transfer of certain goods**

- (1) This section applies to—
  - (a) a person acting in the HKSAR; and
  - (b) a person acting outside the HKSAR who is—
    - (i) both a Hong Kong permanent resident and a Chinese national; or
    - (ii) a body incorporated or constituted under the law of the HKSAR.
- (2) Except under the authority of a licence granted under section 8(1)(a), a person must not supply, sell or transfer, or agree to supply, sell or transfer, directly or indirectly, or do any act likely to promote the supply, sale or transfer of, any prohibited goods—
  - (a) to the Central African Republic;
  - (b) to, or to the order of, a person connected with the Central African Republic; or
  - (c) to a destination for the purpose of delivery or transfer, directly or indirectly, to the Central African Republic or to, or to the order of, a person connected with the Central African Republic.
- (3) A person who contravenes subsection (2) commits an offence and is liable—
  - (a) on conviction on indictment to a fine and to imprisonment for 7 years; or

- (b) on summary conviction to a fine at level 6 and to imprisonment for 6 months.
  - (4) It is a defence for a person charged with an offence under subsection (3) to prove that the person did not know and had no reason to believe—
    - (a) that the goods concerned were prohibited goods; or
    - (b) that the goods concerned were or were to be supplied, sold or transferred—
      - (i) to the Central African Republic;
      - (ii) to, or to the order of, a person connected with the Central African Republic; or
      - (iii) to a destination for the purpose of delivery or transfer, directly or indirectly, to the Central African Republic or to, or to the order of, a person connected with the Central African Republic.

**3. Prohibition against carriage of certain goods**

- (1) This section applies to—
  - (a) a ship that is registered in the HKSAR;
  - (b) a ship that is not registered in the HKSAR and is within the waters of the HKSAR;
  - (c) an aircraft that is registered in the HKSAR;
  - (d) an aircraft that is not registered in the HKSAR and is within the HKSAR air space;
  - (e) any other ship or aircraft that is for the time being chartered to a person who is—
    - (i) in the HKSAR;
    - (ii) both a Hong Kong permanent resident and a Chinese national; or

- (iii) a body incorporated or constituted under the law of the HKSAR; and
- (f) a vehicle in the HKSAR.
- (2) Without limiting section 2, except under the authority of a licence granted under section 8(1)(b), a ship, aircraft or vehicle must not be used for the carriage of any prohibited goods if the carriage is, or forms part of, a carriage—
  - (a) from a place outside the Central African Republic to a place in the Central African Republic;
  - (b) to, or to the order of, a person connected with the Central African Republic; or
  - (c) to a destination for the purpose of delivery or transfer, directly or indirectly, to the Central African Republic or to, or to the order of, a person connected with the Central African Republic.
- (3) Subsection (2) does not apply if—
  - (a) the carriage of the prohibited goods is performed in the course of the supply, sale or transfer of the prohibited goods; and
  - (b) the supply, sale or transfer was authorized by a licence granted under section 8(1)(a).
- (4) If a ship, aircraft or vehicle is used in contravention of subsection (2), each of the following persons commits an offence—
  - (a) for a ship registered in the HKSAR, the charterer, the operator and the master of the ship;
  - (b) for any other ship—
    - (i) the charterer of the ship, if the charterer is in the HKSAR, or is both a Hong Kong permanent resident and a Chinese national, or is a body incorporated or constituted under the law of the HKSAR;

- (ii) the operator of the ship, if the operator is in the HKSAR, or is both a Hong Kong permanent resident and a Chinese national, or is a body incorporated or constituted under the law of the HKSAR; and
- (iii) the master of the ship, if the master is in the HKSAR or is both a Hong Kong permanent resident and a Chinese national;
- (c) for an aircraft registered in the HKSAR, the charterer, the operator and the pilot in command of the aircraft;
- (d) for any other aircraft—
  - (i) the charterer of the aircraft, if the charterer is in the HKSAR, or is both a Hong Kong permanent resident and a Chinese national, or is a body incorporated or constituted under the law of the HKSAR;
  - (ii) the operator of the aircraft, if the operator is in the HKSAR, or is both a Hong Kong permanent resident and a Chinese national, or is a body incorporated or constituted under the law of the HKSAR; and
  - (iii) the pilot in command of the aircraft, if the pilot in command is in the HKSAR or is both a Hong Kong permanent resident and a Chinese national;
- (e) for a vehicle, the operator and the driver of the vehicle.
- (5) A person who commits an offence under subsection (4) is liable—
  - (a) on conviction on indictment to a fine and to imprisonment for 7 years; or
  - (b) on summary conviction to a fine at level 6 and to imprisonment for 6 months.

- (6) It is a defence for a person charged with an offence under subsection (4) to prove that the person did not know and had no reason to believe—
- (a) that the goods concerned were prohibited goods; or
  - (b) that the carriage of the goods concerned was, or formed part of, a carriage—
    - (i) from a place outside the Central African Republic to a place in the Central African Republic;
    - (ii) to, or to the order of, a person connected with the Central African Republic; or
    - (iii) to a destination for the purpose of delivery or transfer, directly or indirectly, to the Central African Republic or to, or to the order of, a person connected with the Central African Republic.

#### 4. Prohibition against provision of certain assistance or training

- (1) This section applies to—
- (a) a person acting in the HKSAR; and
  - (b) a person acting outside the HKSAR who is—
    - (i) both a Hong Kong permanent resident and a Chinese national; or
    - (ii) a body incorporated or constituted under the law of the HKSAR.
- (2) Except under the authority of a licence granted under section 9(1), a person must not provide, directly or indirectly, to a person connected with the Central African Republic any technical assistance, training, financial or other assistance, related to military activities or to the provision, maintenance or use of any prohibited goods, including the provision of armed mercenary personnel.

- (3) A person who contravenes subsection (2) commits an offence and is liable—
- (a) on conviction on indictment to a fine and to imprisonment for 7 years; or
  - (b) on summary conviction to a fine at level 6 and to imprisonment for 6 months.
- (4) It is a defence for a person charged with an offence under subsection (3) to prove that the person did not know and had no reason to believe—
- (a) that the assistance or training concerned was or was to be provided to a person connected with the Central African Republic; or
  - (b) that the assistance or training concerned related to military activities or to the provision, maintenance or use of any prohibited goods.

#### 5. Prohibition against making available funds, etc. or dealing with funds, etc.

- (1) This section applies to—
- (a) a person acting in the HKSAR; and
  - (b) a person acting outside the HKSAR who is—
    - (i) both a Hong Kong permanent resident and a Chinese national; or
    - (ii) a body incorporated or constituted under the law of the HKSAR.
- (2) Except under the authority of a licence granted under section 10(1)—
- (a) a person must not make available, directly or indirectly, any funds or other financial assets or economic resources to, or for the benefit of, a relevant person or a relevant entity; and

- (b) a person (*first-mentioned person*) must not deal with, directly or indirectly, any funds or other financial assets or economic resources owned by or otherwise belonging to, or held by, a relevant person or a relevant entity, and if the first-mentioned person is a relevant person or a relevant entity, including any funds and other financial assets or economic resources owned by or otherwise belonging to, or held by, the first-mentioned person.
- (3) A person who contravenes subsection (2) commits an offence and is liable—
  - (a) on conviction on indictment to a fine and to imprisonment for 7 years; or
  - (b) on summary conviction to a fine at level 6 and to imprisonment for 6 months.
- (4) It is a defence for a person charged with an offence under subsection (3) to prove that the person did not know and had no reason to believe—
  - (a) that the funds or other financial assets or economic resources concerned were or were to be made available to, or for the benefit of, a relevant person or a relevant entity; or
  - (b) that the person was dealing with funds or other financial assets or economic resources owned by or otherwise belonging to, or held by, a relevant person or a relevant entity.
- (5) A person is not to be regarded as having contravened subsection (2) by reason only of having credited an account owned by or otherwise belonging to, or held by, a relevant person or a relevant entity with—
  - (a) interest or other earnings due on that account; or

- (b) payment due under contracts, agreements or obligations that arose before the date on which the person or entity became a relevant person or a relevant entity.
- (6) In this section—
  - deal with* (處理) means—
    - (a) in respect of funds—
      - (i) use, alter, move, allow access to or transfer;
      - (ii) deal with in any other way that would result in any change in volume, amount, location, ownership, possession, character or destination; or
      - (iii) make any other change that would enable use, including portfolio management; and
    - (b) in respect of other financial assets or economic resources, use to obtain funds, goods or services in any way, including by selling, hiring or mortgaging the assets or resources.

#### 6. Prohibition against entry or transit by certain persons

- (1) Subject to section 7, a specified person must not enter or transit through the HKSAR.
- (2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a fine at level 4 and to imprisonment for 2 years.
- (3) This section does not apply to a person having the right of abode or the right to land in the HKSAR.
- (4) In this section—
  - specified person* (指明人士) means a person designated by the Committee for the purposes of paragraph 30 of Resolution 2134.

**7. Exceptions to prohibition against entry or transit by certain persons**

Section 6 does not apply to a case in respect of which—

- (a) the Committee has determined that the relevant entry into or transit through the HKSAR is justified on the ground of humanitarian need, including religious obligation;
  - (b) the relevant entry or transit is necessary for the fulfilment of a judicial process; or
  - (c) the Committee has determined that the relevant entry into or transit through the HKSAR would further the objectives of peace and national reconciliation in the Central African Republic and stability in the region.
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**Part 3**

**Licences**

**8. Licence for supply, sale, transfer or carriage of certain goods**

- (1) If satisfied on application that any of the requirements in subsection (2) is met, the Chief Executive must grant, as appropriate—
  - (a) a licence for the supply, sale or transfer of, or the doing of an act likely to promote the supply, sale or transfer of, prohibited goods—
    - (i) to the Central African Republic;
    - (ii) to, or to the order of, a person connected with the Central African Republic; or
    - (iii) to a destination for the purpose of delivery or transfer, directly or indirectly, to the Central African Republic or to, or to the order of, a person connected with the Central African Republic; or
  - (b) a licence for the carriage of prohibited goods that is, or forms part of, a carriage—
    - (i) from a place outside the Central African Republic to a place in the Central African Republic;
    - (ii) to, or to the order of, a person connected with the Central African Republic; or
    - (iii) to a destination for the purpose of delivery or transfer, directly or indirectly, to the Central African Republic or to, or to the order of, a person connected with the Central African Republic.
- (2) The requirements are as follows—

- (a) the prohibited goods are intended solely for the support of or use by the Mission for the Consolidation of Peace in the Central African Republic (MICOPAX), the African-led International Support Mission in the Central African Republic (MISCA), the United Nations Integrated Peacebuilding Office in the Central African Republic (BINUCA) and its guard unit, the African Union-Regional Task Force (AU-RTF), or the French forces deployed in the Central African Republic;
- (b) the prohibited goods are non-lethal military equipment intended solely for humanitarian or protective use, as approved in advance by the Committee;
- (c) the prohibited goods are protective clothing, including flak jackets and military helmets, to be temporarily exported to the Central African Republic by the personnel of the United Nations, representatives of the media, humanitarian or development workers or associated personnel, for their personal use only;
- (d) the prohibited goods are small arms or other related equipment intended solely for use in international patrols providing security in the Sangha River Tri-national Protected Area to defend against poaching, smuggling of ivory or arms, or other activities contrary to the national laws or international legal obligations of the Central African Republic;
- (e) the prohibited goods are arms or other related lethal equipment to be supplied, sold or transferred to the Central African Republic security forces and intended solely for the support of or use in the Central African Republic process of Security Sector Reform, as approved in advance by the Committee;
- (f) the supply or sale of the prohibited goods is approved in advance by the Committee;

- (g) the prohibited goods are intended solely for the support of or use by the European Union operation in the Central African Republic.

**9. Licence for provision of certain assistance or training**

- (1) If satisfied on application that any of the requirements in subsection (2) is met, the Chief Executive must grant a licence for the provision, to a person connected with the Central African Republic, of technical assistance, training, financial or other assistance, related to military activities or to the provision, maintenance or use of any prohibited goods, including the provision of armed mercenary personnel.
- (2) The requirements are as follows—
  - (a) the assistance or training is related to the supply of non-lethal military equipment intended solely for humanitarian or protective use, as approved in advance by the Committee;
  - (b) the assistance or provision of personnel is approved in advance by the Committee.

**10. Licence for making available funds, etc. to certain persons or entities or dealing with funds, etc. of certain persons or entities**

- (1) If on application the Chief Executive determines that any of the requirements in subsection (2) is met, the Chief Executive must, subject to subsection (3), grant, as appropriate, a licence for—
  - (a) making available funds or other financial assets or economic resources to, or for the benefit of, a relevant person or a relevant entity; or
  - (b) dealing with funds or other financial assets or economic resources owned by or otherwise belonging to, or held by, a relevant person or a relevant entity.



- (2) The requirements are as follows—
- (a) the funds or other financial assets or economic resources are—
    - (i) necessary for basic expenses, including payment for foodstuffs, rents, mortgages, medicines, medical treatments, taxes, insurance premiums and public utility charges;
    - (ii) exclusively for the payment of reasonable professional fees or reimbursement of incurred expenses associated with the provision of legal services under the law of the HKSAR; or
    - (iii) fees or service charges, under the law of the HKSAR, for the routine holding or maintenance of funds or other financial assets or economic resources owned by or otherwise belonging to, or held by, a relevant person or a relevant entity;
  - (b) the funds or other financial assets or economic resources are necessary for extraordinary expenses;
  - (c) the funds or other financial assets or economic resources—
    - (i) are the subject of a judicial, administrative or arbitral lien or judgment that was entered before 28 January 2014 and is not for the benefit of a relevant person or a relevant entity; and
    - (ii) are to be used to satisfy the lien or judgment;
  - (d) the funds or other financial assets or economic resources are to be used for making payment due under a contract entered into by a person or entity before the date on which the person or entity became a relevant person or a relevant entity, and the payment is not received, directly or indirectly, by a relevant person or a relevant entity.

- (3) If the Chief Executive determines that—
- (a) the requirement in subsection (2)(a) is met, the Chief Executive—
    - (i) must cause the Committee to be notified of the intention to grant a licence under subsection (1); and
    - (ii) must grant the licence in the absence of a negative decision by the Committee within 5 working days of the notification;
  - (b) the requirement in subsection (2)(b) is met, the Chief Executive—
    - (i) must cause the Committee to be notified of the determination; and
    - (ii) must not grant the licence unless the Committee approves the determination;
  - (c) the requirement in subsection (2)(c) is met, before granting the licence, the Chief Executive must cause the Committee to be notified of the determination;
  - (d) the requirement in subsection (2)(d) is met, the Chief Executive must cause the Committee to be notified of the determination 10 working days before granting the licence.

# **11. Provision of false information or documents for purpose of obtaining licences**

- (1) A person who, for the purpose of obtaining a licence, makes any statement or provides or produces any information or document that the person knows to be false in a material particular commits an offence and is liable—
  - (a) on conviction on indictment to a fine and to imprisonment for 2 years; or
  - (b) on summary conviction to a fine at level 6 and to imprisonment for 6 months.

- (2) A person who, for the purpose of obtaining a licence, recklessly makes any statement or provides or produces any information or document that is false in a material particular commits an offence and is liable—
- (a) on conviction on indictment to a fine and to imprisonment for 2 years; or
  - (b) on summary conviction to a fine at level 6 and to imprisonment for 6 months.
- 

## Part 4

### Things Done outside HKSAR

- 12. Licence or permission granted by authorities of places outside HKSAR**
- (1) If the circumstances described in subsection (2) apply, a provision of this Regulation that prohibits the doing of a thing by a person except under the authority of a licence does not have effect in relation to any such thing done in a place outside the HKSAR by the person.
  - (2) For the purposes of subsection (1), the circumstances are that the thing is done by the person under the authority of a licence or with permission granted, in accordance with any law in force in that place outside the HKSAR (being a law substantially corresponding to the relevant provision of this Regulation), by the authority competent in that behalf under that law.
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**Part 5****Enforcement of Regulation****Division 1—Investigation, etc. of Suspected Ships****13. Investigation of suspected ships**

- (1) If an authorized officer has reason to suspect that a ship to which section 3 applies has been, is being or is about to be used in contravention of section 3(2), the officer may—
  - (a) either alone or accompanied and assisted by any person acting under the officer's authority, board the ship and search it and, for that purpose, use or authorize the use of reasonable force; and
  - (b) request the charterer, operator or master of the ship to provide any information relating to the ship or its cargo, or produce for inspection any of its cargo or any document relating to the ship or its cargo, that the officer may specify.
- (2) If an authorized officer has reason to suspect that a ship to which section 3 applies is being or is about to be used in contravention of section 3(2), the officer may, for the purpose of stopping or preventing the use of the ship in contravention of section 3(2) or to pursue enquiries, either there and then or on consideration of any information provided or cargo or document produced in response to a request made under subsection (1)(b), do one or more of the following—
  - (a) direct the charterer, operator or master of the ship to refrain, except with the consent of an authorized officer, from landing, at any port specified by the authorized officer, any part of the ship's cargo that is so specified;

- (b) request the charterer, operator or master of the ship to take any of the following steps—
  - (i) to cause the ship and any of its cargo not to proceed with the voyage on which the ship is then engaged or about to be engaged until the charterer, operator or master is notified by an authorized officer that the ship and its cargo may so proceed;
  - (ii) if the ship is in the HKSAR, to cause the ship and any of its cargo to remain in the HKSAR until the charterer, operator or master is notified by an authorized officer that the ship and its cargo may depart;
  - (iii) if the ship is in any other place, to take the ship and any of its cargo to a port specified by an authorized officer, and to cause the ship and its cargo to remain in that place until the charterer, operator or master is notified by an authorized officer that the ship and its cargo may depart;
  - (iv) to take the ship and any of its cargo to another destination specified by an authorized officer in agreement with the charterer, operator or master.
- (3) A power conferred by this section to request a person to provide any information or produce any cargo or document for inspection includes a power to—
  - (a) specify whether the information should be provided orally or in writing and in what form; and
  - (b) specify the time by which, and the place in which, the information should be provided or the cargo or document should be produced for inspection.

**14. Offences by charterer, operator or master of ship**

- (1) A charterer, operator or master of a ship who disobeys any direction given under section 13(2)(a), or, without reasonable excuse, refuses or fails to comply with a request made under section 13(1)(b) or (2)(b) within the time specified by an authorized officer or, if no time is specified, within a reasonable time, commits an offence and is liable on conviction to a fine at level 6 and to imprisonment for 6 months.
- (2) A charterer, operator or master of a ship who, in response to a request made under section 13(1)(b) or (2)(b), provides or produces to an authorized officer any information or document that the charterer, operator or master knows to be false in a material particular, or recklessly provides or produces to an authorized officer any information or document that is false in a material particular, commits an offence and is liable on conviction to a fine at level 6 and to imprisonment for 6 months.

**15. Power of authorized officers to enter and detain ships**

- (1) Without limiting section 14, if an authorized officer has reason to suspect that a request that has been made under section 13(2)(b) may not be complied with, the officer may take any steps that appear to the officer to be necessary to secure compliance with that request including, in particular, any of the following steps—
  - (a) enter or authorize the entry on any land or the ship concerned;
  - (b) detain or authorize the detention of that ship or any of its cargo;
  - (c) use or authorize the use of reasonable force.
- (2) Subject to subsection (3), subsection (1) does not authorize the detention of a ship for more than 12 hours.

- (3) The Chief Secretary for Administration may, by order in writing, authorize the detention of a ship for further periods of not more than 12 hours each, and the order must state the time from which, and period for which, the order is effective.

**Division 2—Investigation, etc. of Suspected Aircraft****16. Investigation of suspected aircraft**

- (1) If an authorized officer has reason to suspect that an aircraft to which section 3 applies has been, is being or is about to be used in contravention of section 3(2), the officer may—
  - (a) either alone or accompanied and assisted by any person acting under the officer's authority, board the aircraft and search it and, for that purpose, use or authorize the use of reasonable force; and
  - (b) request the charterer, operator or pilot in command of the aircraft to provide any information relating to the aircraft or its cargo, or produce for inspection any of its cargo or any document relating to the aircraft or its cargo, that the officer may specify.
- (2) If the aircraft referred to in subsection (1) is in the HKSAR, an authorized officer may, either there and then or on consideration of any information provided or cargo or document produced in response to a request made under subsection (1)(b), further request the charterer, operator or pilot in command of the aircraft to cause the aircraft and any of its cargo to remain in the HKSAR until the charterer, operator or pilot in command is notified by an authorized officer that the aircraft and its cargo may depart.
- (3) A power conferred by this section to request a person to provide any information or produce any cargo or document for inspection includes a power to—

- (a) specify whether the information should be provided orally or in writing and in what form; and
- (b) specify the time by which, and the place in which, the information should be provided or the cargo or document should be produced for inspection.

**17. Offences by charterer, operator or pilot in command of aircraft**

- (1) A charterer, operator or pilot in command of an aircraft who, without reasonable excuse, refuses or fails to comply with a request made under section 16(1)(b) or (2) within the time specified by an authorized officer or, if no time is specified, within a reasonable time, commits an offence and is liable on conviction to a fine at level 6 and to imprisonment for 6 months.
- (2) A charterer, operator or pilot in command of an aircraft who, in response to a request made under section 16(1)(b) or (2), provides or produces to an authorized officer any information or document that the charterer, operator or pilot in command knows to be false in a material particular, or recklessly provides or produces to an authorized officer any information or document that is false in a material particular, commits an offence and is liable on conviction to a fine at level 6 and to imprisonment for 6 months.

**18. Power of authorized officers to enter and detain aircraft**

- (1) Without limiting section 17, if an authorized officer has reason to suspect that a request that has been made under section 16(2) may not be complied with, the officer may take any steps that appear to the officer to be necessary to secure compliance with that request including, in particular, any of the following steps—
  - (a) enter or authorize the entry on any land or the aircraft concerned;
  - (b) detain or authorize the detention of that aircraft or any of its cargo;

- (c) use or authorize the use of reasonable force.
- (2) Subject to subsection (3), subsection (1) does not authorize the detention of an aircraft for more than 6 hours.
- (3) The Chief Secretary for Administration may, by order in writing, authorize the detention of an aircraft for further periods of not more than 6 hours each, and the order must state the time from which, and period for which, the order is effective.

**Division 3—Investigation, etc. of Suspected Vehicles****19. Investigation of suspected vehicles**

- (1) If an authorized officer has reason to suspect that a vehicle in the HKSAR has been, is being or is about to be used in contravention of section 3(2), the officer may—
  - (a) either alone or accompanied and assisted by any person acting under the officer's authority, board the vehicle and search it and, for that purpose, use or authorize the use of reasonable force;
  - (b) request the operator or driver of the vehicle to provide any information relating to the vehicle or any article carried on it, or produce for inspection any article carried on it or any document relating to the vehicle or any article carried on it, that the officer may specify; and
  - (c) further request, either there and then or on consideration of any information provided or article or document produced in response to a request made under paragraph (b), the operator or driver to take the vehicle and any article carried on it to a place specified by an authorized officer, and to cause the vehicle and the article to remain in that place until the operator or driver is notified by an authorized officer that the vehicle and the article may depart.

- (2) A power conferred by this section to request a person to provide any information or produce any article or document for inspection includes a power to—
- specify whether the information should be provided orally or in writing and in what form; and
  - specify the time by which, and the place in which, the information should be provided or the article or document should be produced for inspection.

**20. Offences by operator or driver of vehicle**

- An operator or driver of a vehicle who, without reasonable excuse, refuses or fails to comply with a request made under section 19(1)(b) or (c) within the time specified by an authorized officer or, if no time is specified, within a reasonable time, commits an offence and is liable on conviction to a fine at level 6 and to imprisonment for 6 months.
- An operator or driver of a vehicle who, in response to a request made under section 19(1)(b) or (c), provides or produces to an authorized officer any information or document that the operator or driver knows to be false in a material particular, or recklessly provides or produces to an authorized officer any information or document that is false in a material particular, commits an offence and is liable on conviction to a fine at level 6 and to imprisonment for 6 months.

**21. Power of authorized officers to enter and detain vehicles**

- Without limiting section 20, if an authorized officer has reason to suspect that a request that has been made under section 19(1)(c) may not be complied with, the officer may take any steps that appear to the officer to be necessary to secure compliance with that request including, in particular, any of the following steps—

- enter or authorize the entry on any land or enter or authorize the entry into the vehicle concerned;
  - detain or authorize the detention of that vehicle or any article carried on it;
  - use or authorize the use of reasonable force.
- Subject to subsection (3), subsection (1) does not authorize the detention of a vehicle for more than 12 hours.
  - The Commissioner may, by order in writing, authorize the detention of a vehicle for further periods of not more than 12 hours each, and the order must state the time from which, and period for which, the order is effective.

**Division 4—Proof of Identity****22. Production of proof of identity**

Before or on exercising a power conferred by section 13, 15, 16, 18, 19 or 21, an authorized officer must, if requested by any person so to do, produce proof of the officer's identity to the person for inspection.

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**Part 6****Evidence****23. Power of magistrate or judge to grant warrant**

- (1) A magistrate or judge may grant a warrant if satisfied by information on oath given by an authorized officer that there are reasonable grounds for suspecting that—
  - (a) an offence under this Regulation has been committed or is being committed; and
  - (b) there is on any premises specified in the information, or on any ship, aircraft or vehicle so specified, evidence in relation to the commission of the offence.
- (2) A warrant granted under subsection (1) may authorize any authorized officer, together with any other person named in the warrant, to enter the premises, ship, aircraft or vehicle specified in the information or any premises on which the ship, aircraft or vehicle so specified may be, at any time within one month from the date of the warrant, and to search the premises, ship, aircraft or vehicle.
- (3) A person authorized by a warrant to search any premises, ship, aircraft or vehicle may exercise any or all of the following powers—
  - (a) search any person who is found on, or whom the authorized person has reasonable grounds to believe to have recently left or to be about to enter, the premises, ship, aircraft or vehicle;
  - (b) seize and detain any document, cargo or article found on the premises, ship, aircraft or vehicle or on any person referred to in paragraph (a) that the authorized person has reasonable grounds to believe to be evidence in relation to the commission of an offence under this Regulation;

- (c) take in relation to any document, cargo or article seized under paragraph (b) any other steps that may appear necessary for preserving the document, cargo or article and preventing interference with it.
- (4) A person may only be searched under this section by a person who is of the same sex.
- (5) If a person is empowered under this section to enter any premises, ship, aircraft or vehicle, the person may use any force that is reasonably necessary for that purpose.

**24. Seized articles, etc. liable to forfeiture**

- (1) If an authorized officer intends to apply to a magistrate or judge under section 25 for an order for forfeiture of any document, cargo or article seized under section 23(3), the officer must, within 30 days from the date of the seizure, serve notice of that intention on every person who was, to the knowledge of the officer at the time of, or immediately after, the seizure, an owner of the document, cargo or article.
- (2) A notice under subsection (1) is to be regarded as having been duly served on a person if—
  - (a) it is delivered personally to the person;
  - (b) it is sent by registered post addressed to the person at any place of residence or business of the person known to the authorized officer; or
  - (c) where the notice cannot be served in accordance with paragraph (a) or (b), the notice is exhibited at the offices of the Customs and Excise Department, in a place to which the public have access, for a period of not less than 7 days commencing within 30 days from the date of the seizure of the document, cargo or article.

- (3) An owner, or the authorized agent of an owner, of the document, cargo or article referred to in a notice served under subsection (1), or a person who was in possession of the document, cargo or article at the time of seizure, or a person who has a legal or equitable interest in the document, cargo or article, may object to the proposed forfeiture by serving a notice in writing on the Commissioner.
- (4) A notice of objection under subsection (3)—
  - (a) must be served on the Commissioner by a person referred to in subsection (3) (*claimant*) within 30 days from—
    - (i) if the notice under subsection (1) is delivered personally to the person named in the notice, the date of delivery;
    - (ii) if the notice under subsection (1) is sent by registered post, 2 days after the date of posting; or
    - (iii) if the notice under subsection (1) is exhibited as described in subsection (2)(c), the first day it is so exhibited;
  - (b) must state the claimant's full name and address for service in Hong Kong; and
  - (c) if the claimant does not have a permanent address in Hong Kong, must state the name and address of a solicitor who is qualified to practise under the Legal Practitioners Ordinance (Cap. 159) and is authorized to accept service on behalf of the claimant in relation to any forfeiture proceedings.
- (5) An authorized officer may apply to a magistrate or judge for an order for forfeiture of any seized document, cargo or article in respect of which a notice has been served under subsection (1)—

- (a) after the expiration of the appropriate period of time specified in subsection (4)(a) for the serving of a notice of objection; or
- (b) if a notice of objection is served in accordance with subsections (3) and (4), after the receipt of the notice.

## 25. Power of magistrate or judge to make order for forfeiture and disposal

- (1) If an application is made to a magistrate or judge for an order for forfeiture of any seized document, cargo or article, the magistrate or judge may, if satisfied that the seized document is a document relating to the provision, maintenance or use of any prohibited goods, or that the seized cargo or article is prohibited goods, make such order as the magistrate or judge thinks fit for the forfeiture of the document, cargo or article and its subsequent destruction or disposal.
- (2) An order under subsection (1) may be made in respect of any seized document, cargo or article whether or not any person has been convicted of any offence in connection with the document, cargo or article.
- (3) Before making an order for forfeiture of any seized document, cargo or article, a magistrate or judge must issue a summons to any person who serves a notice of objection in accordance with section 24(3) and (4) to appear on a day specified in the summons to show cause why the document, cargo or article should not be forfeited.
- (4) If any summons issued under subsection (3) has not for any reason been served and the magistrate or judge is satisfied that all reasonable efforts have been made to serve the summons on the person named in the summons, the magistrate or judge may make an order for forfeiture under this section despite the fact that the summons has not been served on that person.



**26. Detention of documents, cargoes or articles seized**

- (1) Subject to subsection (2) and any order made under section 25, any document, cargo or article seized under section 23(3) may not be detained for more than 3 months.
  - (2) If the document, cargo or article is relevant to an offence under this Regulation, and proceedings for the offence have begun, the document, cargo or article may be detained until the completion of those proceedings.
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**Part 7**

**Disclosure of Information or Documents**

**27. Disclosure of information or documents**

- (1) Any information or document provided, produced or seized under this Regulation may be disclosed only if—
  - (a) the person who provided or produced the information or document or from whom the document was seized has given consent to the disclosure;
  - (b) the information or document is disclosed to a person who would have been empowered under this Regulation to request that it be provided or produced;
  - (c) the information or document is disclosed on the authority of the Chief Executive, subject to the information or document being transmitted through and with the approval of the instructing authority, to—
    - (i) any organ of the United Nations;
    - (ii) any person in the service of the United Nations; or
    - (iii) the Government of any place outside the People's Republic of China,  
for the purpose of assisting the United Nations or that Government in securing compliance with, or detecting evasion of, measures in relation to the Central African Republic decided on by the Security Council; or
  - (d) the information or document is disclosed with a view to the institution of, or otherwise for the purposes of, any proceedings for an offence under this Regulation.

- (2) For the purposes of subsection (1)(a)—
- (a) a person may not give consent to the disclosure if the person has obtained the information or possessed the document only in the person's capacity as servant or agent of another person; and
  - (b) a person may give consent to the disclosure if the person is entitled to the information or to the possession of the document in the person's own right.
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## Part 8

### Other Offences and Miscellaneous Matters

#### 28. Liability of persons other than principal offenders

- (1) If the person convicted of an offence under this Regulation is a body corporate and it is proved that the offence was committed with the consent or connivance of, or was attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, the director, manager, secretary or other similar officer is guilty of the like offence.
- (2) If the person convicted of an offence under this Regulation is a firm and it is proved that the offence was committed with the consent or connivance of, or was attributable to any neglect on the part of, any partner in the firm or any person concerned in the management of the firm, the partner or the person concerned in the management of the firm is guilty of the like offence.

#### 29. Offences in relation to obstruction of authorized persons, etc.

A person who obstructs another person (including a person acting under the authority of an authorized officer) in the exercise of the powers of that other person under this Regulation commits an offence and is liable on conviction to a fine at level 6 and to imprisonment for 6 months.

#### 30. Offences in relation to evasion of this Regulation

A person who destroys, mutilates, defaces, secretes or removes any document, cargo or article with intent to evade any of the provisions of this Regulation commits an offence and is liable—

- (a) on conviction on indictment to a fine and to imprisonment for 2 years; or

- (b) on summary conviction to a fine at level 6 and to imprisonment for 6 months.

**31. Consent and time limit for proceedings**

- (1) Proceedings for an offence under this Regulation may only be instituted by or with the consent of the Secretary for Justice.
- (2) Summary proceedings for an offence under this Regulation that is alleged to have been committed outside the HKSAR may be commenced at any time not later than 12 months from the date on which the person charged first enters the HKSAR after the alleged commission of the offence.

**32. Specification of relevant person or relevant entity by Chief Executive**

The Chief Executive may, by notice published in the Gazette, specify as a relevant person or a relevant entity a person or an entity designated by the Committee for the purposes of paragraph 32 of Resolution 2134.

**33. Exercise of powers of Chief Executive**

- (1) The Chief Executive may delegate any of the Chief Executive's powers or functions under this Regulation to any person or class or description of person.
  - (2) The Chief Executive may authorize a person to whom a power or function is delegated to sub-delegate it to any other person or class or description of person.
  - (3) A delegation or authorization under subsection (1) or (2) may be subject to any restrictions or conditions that the Chief Executive thinks fit.
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**Part 9**

**Duration**

**34. Duration**

This Regulation expires at midnight on 27 January 2015.

C. Y. LEUNG  
Chief Executive

8 April 2014

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**Explanatory Note**

This Regulation gives effect to certain decisions in Resolution 2127 (2013) and Resolution 2134 (2014) as adopted by the Security Council of the United Nations on 5 December 2013 and 28 January 2014 respectively, by providing for prohibitions against—

- (a) the supply, sale, transfer or carriage of arms or related materiel to the Central African Republic;
- (b) the provision of assistance or training related to military activities etc. in certain circumstances;
- (c) making available to, or for the benefit of, certain persons or entities any funds or other financial assets or economic resources;
- (d) dealing with funds or other financial assets or economic resources owned by or otherwise belonging to, or held by, certain persons or entities; and
- (e) entry into or transit through the HKSAR by certain persons.

**United Nations Sanctions Ordinance (Cap. 537)**

**United Nations Sanctions (Central African Republic) Regulation**

This is to confirm that the Chief Executive received specific instructions from the Ministry of Foreign Affairs of the People's Republic of China in December 2013 and February 2014 which requested the Government of the Hong Kong Special Administrative Region to fully implement Resolutions No. 2127 and No. 2134 of the Security Council of the United Nations respectively, and that the United Nations Sanctions (Central African Republic) Regulation was made in pursuance of the instructions.

Dated this 8<sup>th</sup> day of April 2014

A handwritten signature in black ink, appearing to read 'Carrie Lam', is positioned above the printed name and title.

( Mrs Carrie Lam )  
Chief Secretary for Administration



## Security Council

Distr.: General  
5 December 2013

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### Resolution 2127 (2013)

**Adopted by the Security Council at its 7072nd meeting,  
on 5 December 2013**

*The Security Council,*

*Recalling* its previous resolutions and statements on the Central African Republic (CAR), in particular resolution [2121 \(2013\)](#),

*Reaffirming* its strong commitment to the sovereignty, independence, territorial integrity and unity of the CAR, and recalling the importance of the principles of good-neighbourliness and regional cooperation,

*Expressing* deep concern at the continuing deterioration of the security situation in the CAR, characterized by a total breakdown in law and order, the absence of the rule of law, intersectarian tensions and further expressing its grave concern about the consequences of instability in the CAR, on the central African region and beyond, and stressing in this regard the need for the international community to respond swiftly,

*Remaining seriously concerned* by multiple and increasing violations of international humanitarian law and the widespread human rights violations and abuses, notably by former Seleka and militia groups, in particular those known as the “antibalaka”, including those involving extrajudicial killings, enforced disappearances, arbitrary arrests and detention, torture, sexual violence against women and children, rape, recruitment and use of children and attacks against civilians,

*Underlying its particular concern* at the new dynamic of violence and retaliation and the risk of it degenerating into a countrywide religious and ethnic divide, with the potential to spiral into an uncontrollable situation, including serious crimes under international law in particular war crimes and crimes against humanity, with serious regional implications,

*Further expressing* concern at the insufficient capacity of the police, justice and corrections institutions to hold perpetrators of such violations and abuses accountable,

*Condemning* all violence targeting members of ethnic and religious groups and their leaders and *encouraging* all parties and stakeholders in the CAR to support and contribute effectively, with the assistance of the international community, to



intercommunal and interfaith dialogues, aiming at alleviating the current tensions on the ground,

*Reiterating* that all perpetrators of such acts must be held accountable and that some of those acts may amount to crimes under the Rome Statute of the International Criminal Court (ICC), to which the CAR is a State party, and further *recalling* the statement made by the Prosecutor of the ICC on 7 August 2013,

*Reiterating* its condemnation of the devastation of natural heritage and noting that poaching and trafficking of wildlife are among the factors that fuel the crisis in the CAR,

*Noting* the decision by the Kimberley Process to suspend the CAR,

*Welcoming* the report of the Secretary-General dated 15 November 2013, on the situation in the CAR and on the planning of MISCA and taking note of the detailed options for international support to MISCA,

*Recalling* that the Transitional Authorities have the primary responsibility to protect the civilian population,

*Further recalling* its resolutions [1265 \(1999\)](#), [1296 \(2000\)](#), [1674 \(2006\)](#), [1738 \(2006\)](#) and [1894 \(2009\)](#) on the protection of civilians in armed conflict, its resolutions [1612 \(2005\)](#), [1882 \(2009\)](#), [1998 \(2011\)](#) and [2068 \(2012\)](#) on Children and Armed Conflict and its resolutions [1325 \(2000\)](#), [1820 \(2008\)](#), [1888 \(2009\)](#), [1889 \(2009\)](#), [1960 \(2010\)](#), [2106 \(2013\)](#) and [2122 \(2013\)](#) on Women, Peace and Security and *calling upon* the parties in the CAR to engage with the Special Representative on Children and Armed Conflict and the Special Representative on Sexual Violence in Conflict,

*Stressing* the importance that the Transitional Authorities ensure women's full and equal participation in all discussions pertinent to the resolution of the conflict and in all phases of electoral processes,

*Emphasizing* the risk of the situation in the CAR providing a conducive environment for transnational criminal activity, such as that involving arms trafficking and the use of mercenaries as well as a potential breeding ground for radical networks,

*Recalling* its resolution [2117 \(2013\)](#) and *expressing grave concern* at the threat to peace and security in the CAR arising from the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons,

*Expressing continued concern* about the activity of the Lord's Resistance Army (LRA) in the CAR due in part to the prevailing security situation,

*Reiterating* its serious concern at the worsening humanitarian situation in the CAR, strongly *condemning* the repeated attacks on UN staff and humanitarian personnel, goods, assets and premises and the looting of humanitarian aid which have resulted in obstructing the delivery of humanitarian aid,

*Underscoring* the importance of respecting the United Nations guiding principles of humanitarian assistance, including neutrality, impartiality, humanity and independence in the provision of humanitarian assistance,

*Urging* all parties to take the necessary steps to ensure the safety and security of humanitarian personnel and United Nations and its associated personnel and their assets,

*Recalling* the letter of its President dated 29 October, approving the deployment of a guard unit to the CAR as part of BINUCA and taking note of the Secretary-General's letter of 26 November 2013 highlighting progress towards the deployment of a guard unit within BINUCA, as well as the consent of the Transitional Authorities as expressed on 5 November for such a guard unit and *welcoming* in this regard the contribution of the Kingdom of Morocco to this unit,

*Welcoming* the decision of the African Union Peace and Security Council (AU-PSC) on 19 July 2013 to authorize the deployment of the "African-led International Support Mission in the CAR" (referred to hereafter as MISCA), as well as the adoption of a new concept of operation on 10 October 2013,

*Reiterating* its appreciation for the ongoing efforts of the Economic Community of Central African States (ECCAS) and its Mediator regarding the CAR crisis, as well as the efforts of the African Union to resolve the crisis, and the efforts of the International Contact Group on the CAR,

*Welcoming* the strong engagement of the European Union (EU) for the CAR, in particular the Foreign Affairs Council conclusions of 21 October 2013 and the commitment of the EU to contribute financially to the deployment of MISCA within the framework of the African Peace Facility, further *welcoming* ongoing discussions within the EU on possible additional support,

*Welcoming* the efforts made by the Secretariat to expand and improve the roster of experts for the Security Council Subsidiary Organs Branch, bearing in mind the guidance provided by the Note of the President (S/2006/997),

*Taking note* of the declaration adopted by the International Contact Group on the CAR at its third meeting held in Bangui on 8 November 2013,

*Taking note* of the AU-PSC Communiqué of 13 November 2013, which urges the Security Council to quickly adopt a resolution endorsing and authorizing the deployment of MISCA,

*Taking note* of the letter dated 22 November 2013 from the Chair of the Peacebuilding Commission, stressing the importance of ensuring that peacebuilding needs in CAR are addressed immediately following stabilization of the security and humanitarian situation and, in this regard, *emphasizing* the Commission's role in mobilizing and sustaining the attention and commitment of partners and actors in support of related United Nations and regional efforts,

*Taking note* of the letter by the CAR authorities of 20 November 2013 requesting the support to MISCA by French forces,

*Underlining* the importance of all subregional, regional and international organizations acting in the CAR improving their coordination with one another,

*Determining* that the situation in the CAR constitutes a threat to international peace and security,

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



### Political process

1. *Underlines* its support for the Libreville Agreements of 11 January 2013, the N'Djamena Declaration of 18 April 2013, the Brazzaville Appeal of 3 May 2013 and the declaration adopted by the International Contact Group on the CAR at its third meeting held in Bangui on 8 November 2013;

2. *Reiterates* that, according to the political agreement signed in Libreville, the Prime Minister is the Head of the Government of National Unity which is in charge of implementing the priorities defined in article 5 of this agreement and urges all parties to respect this agreement;

3. *Further reiterates* that, in accordance with the African Charter on Democracy, Elections and Governance, the Libreville Agreements, the relevant ECCAS decisions and the Constitutional Charter for the Transition, the Head of Transition, the Prime Minister, the President of the National Transition Council (NTC), the Ministers and members of the NTC bureau cannot participate in the elections intended to restore the constitutional order;

4. *Urges* the Transitional Authorities to take all appropriate steps for immediate disarmament, cantonment and dismantling of all armed groups, throughout the whole territory of the country, consistent with international standards;

5. *Demands* the swift implementation of transitional arrangements referred to in paragraph 1 above, which shall lead to the holding of free, fair and transparent presidential and legislative elections 18 months after the beginning of the transition period as defined in article 102 of the Transitional Charter which took effect on 18 August 2013, and called for by the N'Djamena Declaration;

6. *Deplores* that the Transitional Authorities have made only limited progress towards the implementation of key elements of the Transitional Framework, notably regarding the organization of elections by February 2015; and in this regard, *calls upon* the Transitional Authorities to swiftly put in place the National Authority for the elections which will enable the United Nations to identify the technical requirements for the successful organization of elections;

7. *Urges* the Transitional Authorities to implement the "Republican Pact" signed by the transitional government on 7 November 2013, under the aegis of the Sant'Egidio, as a credible framework to promote an inclusive national dialogue between all political, social and religious parties of the country, and requests the Secretary-General, through his Special Representative for the CAR, to take appropriate steps to assist the Transitional Authorities to enhance their mediation capacity and to facilitate and strengthen such a dialogue;

8. *Expresses its intention* to closely monitor the management of the Transition and commends the role of the Special Representative of the Secretary-General (SRSG) and the ECCAS mediator;

9. *Expresses* its support for BINUCA's critical role in helping to restore the constitutional order and supporting the ongoing political process in the implementation of the Libreville agreement and the N'Djamena road map and the electoral process;

10. *Decides* that any attempt to delay, impede or violate the transitional arrangements referred to in paragraph 1 above shall be considered as an impediment to the peace process and could lead to the imposition of appropriate measures defined in paragraph 56 below;

#### **DDR/SSR**

11. *Urges* Transitional Authorities to develop and implement disarmament, demobilization and reintegration (DDR) or disarmament, demobilization, repatriation, reintegration and resettlement (DDRRR) programmes including for former Seleka elements who will not be integrated into the security forces and children associated with armed forces and groups;

12. *Further urges* the Transitional Authorities to develop and to implement a comprehensive and nationally owned Security Sector Reform (SSR) programme, which includes appropriate vetting procedures to reconstitute professional, balanced and representative CAR security forces selected on the basis of the respect for human rights and nationality, and calls upon the Transitional Authorities to cooperate with BINUCA and MISCA for these purposes;

13. *Calls on* Member States, regional and international organizations, including the African Union, the United Nations and the European Union, to coordinate their assistance to the Transitional Authorities in their efforts towards reforming the security sector;

#### **Rule of law**

14. *Underlines* the importance of strengthening the capacity of police, justice and correction institutions to uphold the rule of law and bring to justice perpetrators of violations of international humanitarian law, international human rights law and of human rights abuses;

15. *Further stresses* the importance of strengthening support to the Transitional Authorities to enable them to address security challenges and extend state authority;

#### **Protection of natural resources**

16. *Condemns* the illegal exploitation of natural resources in the CAR which contributes to the perpetuation of the conflict, and underlines the importance of bringing an end to these illegal activities, including by applying the necessary pressure on the armed groups, traffickers and all other actors involved;

#### **Promotion and protection of human rights**

17. *Strongly condemns* the continued violations of international humanitarian law and the widespread human rights violations and abuses, perpetrated by armed groups, and specifically former Seleka elements, anti-Balaka elements and the LRA, that threaten the population and *stresses* that the perpetrators of such violations should be brought to justice;

18. *Urges* the Transitional Authorities to ensure, without delay, that all perpetrators of violations and abuses of human rights and violations of international humanitarian law are held accountable;

19. *Expresses deep concern* at the escalation of interreligious and intercommunal violence as well as violence targeting members of ethnic and religious groups and their leaders, and urges all parties and stakeholders in CAR, with the assistance of the international community, to work together in order to strengthen intercommunal and interfaith dialogues, to prevent further deterioration of the situation on the ground;

20. *Reiterates its demands* that all armed groups, in particular former Seleka elements and anti-Balaka elements, prevent and end the recruitment and use of children, that all parties protect and consider as victims those children who have been released or otherwise separated from armed forces and armed groups, and *emphasizes* the need to pay particular attention to the protection, release and reintegration of all children associated with armed groups;

21. *Underscores* the primary responsibility of the Transitional Authorities to protect the population, as well as to ensure the security and unity in its territory, and stresses their obligation to ensure respect for international humanitarian law, human rights law and refugee law;

22. *Calls upon* all parties to armed conflict in the CAR, including former Seleka elements and anti-Balaka elements, to issue clear orders prohibiting all violations and abuses committed against children in violation of applicable international law, such as their recruitment and use, killing and maiming, abductions and attacks on schools and hospitals and further calls upon Transitional Authorities to make and implement specific commitments on timely investigation of alleged abuses in order to hold perpetrators accountable and to ensure that those responsible for such violations and abuses are excluded from the security sector;

23. *Calls upon* all parties to armed conflict in the CAR, including former Seleka elements to issue clear orders against sexual violence, and further calls upon Transitional Authorities to make and implement specific commitments on timely investigation of alleged abuses in order to hold perpetrators accountable, in line with its resolutions [1960 \(2010\)](#) and [2106 \(2013\)](#), and to facilitate immediate access for victims of sexual violence to available services;

24. *Requests* that the Secretary-General rapidly establish an international commission of inquiry for an initial period of one year, including experts in both international humanitarian law and human rights law, in order immediately to investigate reports of violations of international humanitarian law, international human rights law and abuses of human rights in CAR by all parties since 1 January 2013, to compile information, to help identify the perpetrators of such violations and abuses, point to their possible criminal responsibility and to help ensure that those responsible are held accountable, and *calls on* all parties to cooperate fully with such a commission;

25. *Further requests* the Secretary-General to report to the Security Council on the findings of the commission of inquiry six months and one year after the adoption of this resolution;

26. *Further requests* the Secretary-General in conjunction with the High Commissioner on Human Rights (HCHR) to take appropriate steps to increase the number of human rights monitors deployed in the CAR;

27. *Encourages* Member States to take steps to strongly discourage their nationals from travelling to the CAR to participate in activities that contribute to undermining the peace, threatening the political process, or supporting the violation of human rights;

#### **Deployment of MISCA**

28. *Authorizes* the deployment of MISCA for a period of twelve months after the adoption of this resolution, to be reviewed six months after the adoption of this resolution, which shall take all necessary measures, consistent with the concept of operations adopted on 19 July 2013 and reviewed on 10 October 2013, to contribute to:

- (i) the protection of civilians and the restoration of security and public order, through the use of appropriate measures;
- (ii) the stabilization the country and the restoration of State authority over the whole territory of the country;
- (iii) the creation of conditions conducive to the provision of humanitarian assistance to populations in need;
- (iv) the DDR or DDRRR process led by the Transitional Authorities and coordinated by BINUCA;
- (v) national and international efforts to reform and restructure the defence and security sectors led by the Transitional Authorities and coordinated by BINUCA;

29. *Welcomes* the consultations held between the AU Commission and countries from the central African region and the support provided by the United Nations, and Member States to finalize all aspects of the transition from MICOPAX to MISCA, including the outcome of the meetings held in Addis Ababa from 7 to 10 October 2013;

30. *Requests* the AU and ECCAS to ensure that the transfer of authority from MICOPAX to MISCA takes effect on 19 December 2013 and, in this regard, *notes that* the AU Commission has been called by the AU-PSC to urgently and successfully transfer authority from MICOPAX to MISCA and *further welcomes* the appointment of the new leadership of MISCA;

31. *Emphasizes* the need for strong coordination and information-sharing between BINUCA, the African Union-Regional Task Force (AU-RTF) and the MISCA in the context of their protection of civilians activities and counter-LRA operations;

32. *Requests* the African Union, in close coordination with the Secretary-General and other international organizations and bilateral partners involved in the crisis, to report to the Security Council every 60 days on the deployment and activities of MISCA;

33. *Emphasizes* the need for MISCA, and all military forces in CAR, while carrying out their mandate, to act in full respect of the sovereignty, territorial integrity and unity of CAR and in full compliance with applicable international humanitarian law, human rights law and refugee law and *recalls* the importance of training in this regard;

### **International support**

34. *Welcomes* contributions already made by ECCAS countries, *calls upon* African countries (MAR) to contribute to MISCA so it is able to fulfil its mandate, *and further encourages* Members States and regional organizations to cooperate closely with the African Union, ECCAS the United Nations, troop-contributing countries and other organizations and donors to this end;

35. *Stresses* that all new African troops shall be integrated fully into the MISCA command and control structures, and shall operate in accordance with MISCA's mandate as set out in paragraph 28 of this resolution;

36. *Calls upon* the Transitional Authorities and all other parties in the CAR to cooperate fully with the deployment and operations of MISCA, in particular by ensuring its safety, security and freedom of movement with unhindered and immediate access throughout the territory of the CAR to enable it to fully carry out its mandate and *further calls upon* neighbouring countries of the CAR to take appropriate measures to support the implementation of MISCA mandate;

### **UN support**

37. *Requests* the Secretary-General to continue to enhance the provision of technical and expert advice to the African Union in the planning and deployment of MISCA as well as on the implementation of the MISCA Concept of Operations, on the establishment of MISCA mission headquarters, with the view to strengthening its command and control and administrative structures, improving communication and information technology infrastructure and providing necessary training;

38. *Further requests* the Secretary-General to support MISCA in countering illicit proliferation of all arms and related materials of all types, in particular small arms to secure stockpiles of explosive weaponry, clear explosive remnants of war and conventional munitions disposal;

39. *Underscores* the need to establish appropriate coordination mechanisms between BINUCA and MISCA;

40. *Underlines* that the support outlined in paragraphs 37 and 43 of this resolution must be in full compliance with the United Nations Human Rights and Due Diligence Policy on UN support to non-UN Security forces (HRDDP);

### **Funding**

41. *Underlines* that regional organizations have the responsibility to secure human, financial, logistical and other resources for the work of their organizations including through contributions by their members and support from their partners;

42. *Calls upon* Member States and international, regional and subregional organizations, to provide financial support and contributions in kind to MISCA to enable its deployment and implementation of its mandate and *welcomes in this regard* the willingness of the European Union to provide such financial support to MISCA through the mobilization of the African Peace Facility;

43. *Requests* the Secretary-General to establish a trust fund for MISCA through which Member States and international, regional and subregional organizations can provide financial support to MISCA and *further requests* the

Secretary-General to support, in coordination with the EU, the holding of a donors conference of Member States and relevant international, regional and subregional organizations which will be organized by the African Union to solicit contributions, notably to this trust fund, as soon as possible;

44. *Calls upon* Member States to contribute generously and promptly to the new UN trust fund for MISCA, while noting that the existence of the trust fund does not preclude the conclusion of direct bilateral arrangements and *further requests* the African Union, in consultation with and the Secretary-General, to submit budgetary requests to this trust fund;

45. *Notes* that the AU-PSC communiqué of 13 November 2013 expresses its appreciation to bilateral and multilateral partners of the AU who are committed to providing support for the deployment and operation of MISCA;

#### **PKO**

46. *Takes note* of the position of the AU and ECCAS that MISCA may require eventual transformation into a United Nations peacekeeping operation and in this regard *welcomes* the Secretary-General's intention to undertake the necessary preparations for the possible transformation of MISCA into a United Nations peacekeeping operation;

47. *Requests* the Secretary-General to undertake expeditiously contingency preparations and planning for the possible transformation into a United Nations peacekeeping operation, *stressing* that a future decision of this Council would be required to establish such a mission;

48. *Requests* the Secretary-General, in consultations with the AU, to report to the Security Council no later than 3 months from the adoption of this resolution with recommendations on the possible transformation of MISCA to a United Nations peacekeeping operation, including an assessment of progress towards meeting the appropriate conditions on the ground referred to in paragraph 45 of the Secretary-General report dated 15 November 2013;

#### **French forces**

49. *Notes* the AU-PSC communiqué of 13 November 2013 welcoming the proposed strengthening of the French forces to better support MISCA and encouraging the AU Commission to work towards the establishment of an effective operational coordination between MISCA and the French forces;

50. *Authorizes* the French forces in the CAR, within the limits of their capacities and areas of deployment, and for a temporary period, to take all necessary measures to support MISCA in the discharge of its mandate as provided by paragraph 28 above; *requests* France to report to the Council on the implementation of this mandate in the CAR and to coordinate its reporting with the reporting by the African Union referred to in paragraph 32 above and *decides* to review this mandate within six months after its commencement and *calls upon* the Transitional Authorities to cooperate fully with the deployment and operations of French forces, in particular by ensuring its safety, security and freedom of movement with unhindered and immediate access throughout the territory of CAR and *further calls upon* neighbouring countries of CAR to take appropriate measures to support the action of French forces;

### **Humanitarian principles, access, funding and action**

51. *Expresses its serious concern* at the deterioration of the humanitarian situation in the CAR and the restricted humanitarian access resulting from increased insecurity and attacks against humanitarian workers;

52. *Demands* that all parties to the conflict, in particular the former Seleka, ensure the rapid, safe and unhindered access of humanitarian organizations and relief personnel and the timely delivery of humanitarian assistance to populations in need, while respecting the UN guiding principles of humanitarian assistance, including neutrality, impartiality, humanity and independence in the provision of humanitarian assistance;

53. *Calls upon* Member States to respond swiftly to the United Nations' humanitarian appeals to meet the spiralling needs of people inside the CAR and refugees who have fled to neighbouring countries and encourages to this effect the swift implementation of humanitarian projects by UN and humanitarian organizations;

### **Sanctions regime**

#### *Arms embargo*

54. *Decides* that, for an initial period of one year from the date of adoption of this resolution, all Member States shall immediately take the necessary measures to prevent the direct or indirect supply, sale or transfer to the CAR, from or through their territories or by their nationals, or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, and technical assistance, training, financial or other assistance, related to military activities or the provision, maintenance or use of any arms and related materiel, including the provision of armed mercenary personnel whether or not originating in their territories, and decides further that this measure shall not apply to:

(a) Supplies intended solely for the support of or use by MICOPAX, MISCA, BINUCA and its guard unit, the AU-RTF, and the French forces deployed in the CAR;

(b) Supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training, as approved in advance by the Committee established pursuant to paragraph 57 below;

(c) Protective clothing, including flak jackets and military helmets, temporarily exported to the CAR by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, for their personal use only;

(d) Supplies of small arms and other related equipment intended solely for use in international patrols providing security in the Sangha River Tri-national Protected Area to defend against poaching, smuggling of ivory and arms, and other activities contrary to the national laws of CAR or CAR's international legal obligations;



(e) Supplies of arms and other related lethal equipment to the CAR security forces, intended solely for support of or use in the CAR process of SSR, as approved in advance by the Committee; or

(f) Other sales or supply of arms and related materiel, or provision of assistance or personnel, as approved in advance by the Committee;

55. *Decides* to authorize all Member States to, and that all Member States shall, upon discovery of items prohibited by paragraph 54 of this resolution, seize, register and dispose (such as through destruction, rendering inoperable, storage or transferring to a State other than the originating or destination States for disposal) items the supply, sale, transfer or export of which is prohibited by paragraph 54 of this resolution and *decides* further that all Member States shall cooperate in such efforts;

#### *Future measures*

56. *Expresses* its strong intent to swiftly consider imposing targeted measures, including travel bans and assets freezes, against individuals who act to undermine the peace, stability and security, including by engaging in acts that threaten or violate transitional agreements, or by engaging or providing, support for actions that threaten or impede the political process or fuel violence, including through violations of human rights and international humanitarian law, the recruitment and use of children in armed conflict in violation of applicable international law, sexual violence, or supporting the illegal armed groups or criminal networks through the illicit exploitation of natural resources, including diamonds, in the CAR, or by violating the arms embargo established in paragraph 54;

#### *Sanctions Committee*

57. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council (herein “the Committee”), to undertake to following tasks:

(a) To monitor implementation of the measures imposed in paragraphs 54 and 55 above with a view to strengthening, facilitating and improving implementation of these measures by Member States;

(b) To review information regarding those individuals who may be engaging in the acts described in paragraph 54;

(c) To establish such guidelines as may be necessary to facilitate the implementation of the measures imposed above;

(d) To report within 60 days to the Security Council on its work and thereafter to report as deemed necessary by the Committee;

(e) To encourage a dialogue between the Committee and interested Member States, in particular those in the region, including by inviting representatives of such States to meet with the Committee to discuss implementation of the measures;

(f) To seek from all States whatever information it may consider useful regarding the actions taken by them to implement effectively the measures imposed above;



(g) To examine and take appropriate action on information regarding alleged violations or non-compliance with the measures contained in paragraphs 54 and 55;

58. *Calls upon* all Member States to report to the Committee within ninety days from the adoption of this resolution on the steps they have taken with a view to implementing effectively paragraph 54;

59. *Requests* the Secretary-General to create for an initial period of thirteen months, in consultation with the Committee, and to make the necessary financial and security arrangements to support the work of the Panel, a group of up to five experts ("Panel of Experts"), under the direction of the Committee to carry out the following tasks:

(a) Assist the Committee in carrying out its mandate as specified in this resolution, including through providing the Committee with information relevant to the potential designation at a later stage of individuals who may be engaging in the activities described in paragraph 54 above;

(b) Gather, examine and analyse information from States, relevant United Nations bodies, regional organizations and other interested parties regarding the implementation of the measures decided in this resolution, in particular incidents of non-compliance;

(c) Provide to the Council, after discussion with the Committee, an update no later than 5 March 2014, an interim report by 5 July 2014 and a final report no later than 5 November 2014;

(d) To assist the Committee in refining and updating information on the list of individuals violating measures imposed by paragraph 54 of this resolution, including through the provision of biometric information and additional information for the publicly-available narrative summary of reasons for listing;

60. *Urges* all parties and all Member States, as well as international, regional and subregional organizations to ensure cooperation with the Panel of experts 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;

*Continuous review*

61. *Affirms* that it shall keep the situation in the CAR under continuous review and that it shall be prepared to review the appropriateness of the measures contained in this resolution, including the strengthening through additional measures, in particular the freezing of assets, modification, suspension or lifting of the measures, as may be needed at any time in light of the progress achieved in the stabilization of the country and compliance with this resolution;

62. *Decides* to remain actively seized of the matter.



## Security Council

Distr.: General  
28 January 2014

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### Resolution 2134 (2014)

**Adopted by the Security Council at its 7103rd meeting,  
on 28 January 2014**

*The Security Council,*

*Recalling* its previous resolutions and statements on the Central African Republic (CAR), in particular resolutions [2121 \(2013\)](#) and [2127 \(2013\)](#),

*Reaffirming* its strong commitment to the sovereignty, independence, unity and territorial integrity of the CAR, and recalling the importance of the principles of non-interference, good-neighbourliness and regional cooperation,

*Expressing* deep concern at the continuing deterioration of the security situation in the CAR, characterized by a total breakdown in law and order, the absence of the rule of law, religiously motivated targeted killings and arson, and further expressing its grave concern about the consequences of instability in the CAR, on the central African region and beyond, and stressing in this regard the need for the international community to respond swiftly,

*Condemning* the attacks occurring in the CAR and, in particular those that have taken place since 5 December 2013 in Bangui which left more than 1000 people dead and hundreds of thousands persons internally displaced, and which have triggered widespread violence between Christian and Muslim communities across the country,

*Remaining seriously concerned* by multiple and increasing violations of international humanitarian law and the widespread human rights violations and abuses, including those involving extrajudicial killings, forced disappearances, arbitrary arrests and detention, torture, sexual violence against women and children, rape, recruitment and use of children and attacks against civilians and attacks against places of worship, committed by both former Seleka elements and militia groups, in particular those known as the “anti-Balaka,”

*Alarmed* by the increasing cycle of violence and retaliation and degeneration into a countrywide religious and ethnic divide, with the potential to spiral into an uncontrollable situation, including serious crimes under international law in particular war crimes and crimes against humanity, with serious regional implications,



*Noting* the Kimberley Process Certification Scheme's temporary suspension of rough diamond trading by the CAR and expressing concern that diamond smuggling and other forms of illicit natural resource exploitation, including wildlife poaching, are destabilizing forces in CAR, and encouraging the Transitional Authorities and the State Authorities to address these issues through all possible avenues,

*Welcoming* the election of the Kingdom of Morocco as chair of the CAR configuration of the Peacebuilding Commission and *reiterating* the Commission's role in mobilizing and sustaining the attention commitment of partners and actors in support of related UN and regional efforts,

*Recalling* that the Transitional Authorities have the primary responsibility to protect the civilian population in the CAR,

*Welcoming* the active leadership of the Economic Community of Central African States (ECCAS) in convening government leaders, members of the National Transition Council, and representatives of civil society from the CAR for discussions hosted by the Government of Chad in N'Djamena on 9 and 10 January 2014 on the political transition in CAR and *encouraging* continued efforts in this regard,

*Taking note* of the Declaration of the Summit of the Heads of State and Government of the International Conference on the Great Lakes Region (ICGLR) on the Promotion of Peace, Security, Stability and Development in the Great Lakes Region held in Luanda on January 15 2014,

*Expressing its deep appreciation* for the actions taken by MISCA, its troop contributing countries, and the French Forces to protect civilians and help stabilize the security situation immediately after the adoption of resolution 2127, and further *expressing* appreciation for those partners that have provided airlift to expedite the deployment of troops,

*Welcoming* the role of the domestic religious authorities at the national level in trying to pacify relations and prevent violence between religious communities and *noting* the need to amplify their voices at the local level,

*Stressing* the urgent need for greater resources and expertise to be allocated to BINUCA in order for the mission to fully implement its mandated tasks,

*Recalling* the need for an inclusive and effective disarmament, demobilization and reintegration process (DDR) as well as repatriation (DDRR) in the case of foreign fighters while respecting the need to fight against impunity,

*Stressing* the need to end impunity in the CAR and to bring to justice perpetrators of violations of international humanitarian law and of abuses and violations of human rights, and in this regard *underlining* the need to bolster national accountability mechanisms,

*Recalling* its resolution [2117 \(2013\)](#) and *expressing grave concern* at the threat to peace and security in the CAR arising from the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons,

*Recalling* the letter of its President dated 29 October 2013 regarding the intention of the Secretary-General to deploy a guard unit to the CAR as part of BINUCA,

*Welcoming* the strong engagement of the European Union (EU) for the CAR, in particular the Foreign Affairs Council conclusions of 20 October 2013 and 16 December 2013 and EU's decision to contribute financially to the deployment of MISCA within the framework of the African Peace Facility,

*Welcoming* the holding of a special session of the Human Rights Council and *taking note with appreciation* of the appointment of the Independent Expert on the Situation of human rights in the CAR,

*Welcoming* the pledges made at the High-Level Meeting on Humanitarian Action in the Central African Republic in Brussels, January 20 2014 and encouraging the international community to swiftly follow through on pledges to continue providing support in response to the humanitarian situation in CAR,

*Welcoming* the readiness of the European Union, expressed at the meeting of the Council of the European Union held on 20 January 2014, to consider the establishment of a temporary operation to support MISCA in the Central African Republic, and *taking note* of the letter dated 21 January 2014 from the High Representative of the European Union,

*Taking note of* the letter from the Transitional authorities of the Central African Republic dated 22 January 2014 approving the deployment of an operation by the European Union,

*Determining* that the situation in the CAR constitutes a threat to international peace and security in the region,

#### **BINUCA Mandate**

1. *Decides* to extend the mandate of BINUCA until 31 January 2015;
2. *Decides* that the mandate of BINUCA shall be reinforced and updated as follows:
  - (a) *Support for the implementation of the transition process:*
    - To expedite the re-establishment of constitutional order and implementation of the Libreville agreements by identifying, facilitating, and coordinating regular communication between all relevant Central African, regional, and international stakeholders and providing strategic advice, technical assistance, and support to the ongoing political process, transitional institutions and Authorities and their implementation mechanisms;
    - To take a leading role in working with the Transitional Authorities, relevant stakeholders, regional actors and the international community to devise and facilitate the political transition process and to provide technical assistance in support of the process;
    - To assist in reconciliation efforts, at both the national and local levels, including through inter-religious dialogue and truth and reconciliation mechanisms working with relevant Transitional Authorities and relevant regional bodies;
    - To make all necessary preparations, in support of the Transitional Authorities and working on an urgent basis with the National Electoral Authority, for the holding of free and fair elections, including the effective participation of

women, as soon as possible, but no later than February 2015 and, if possible, in the second half of 2014, including by providing an urgent assessment of the financial, technical, and logistical needs for the electoral process;

(b) *Support for conflict prevention and humanitarian assistance:*

- To exercise good offices, confidence-building and facilitation in order to anticipate, prevent, mitigate and resolve conflict and facilitate the safe, civilian-led delivery of humanitarian assistance, in accordance with United Nations guiding principles of humanitarian assistance;
- To help coordinate humanitarian assistance;

(c) *Extension of State authority:*

- To promote and support the rapid restoration of state authority over the whole territory of the country;
- To assist CAR's governmental institutions, including through technical assistance, to increase their capacity to perform basic government functions and deliver basic services to the Central African people;

(d) *Support for the stabilization of the security situation:*

- To support the stabilization of the security situation by advising on and providing technical assistance in support of security sector governance and reform (SSR), rule of law (including police, justice and corrections), disarmament, demobilization and reintegration (DDR) — as well as repatriation (DDRR) in the case of foreign fighters — of combatants, including of all children associated with armed forces and groups, and mine action, including clearance of explosive remnants of war;
- To finalize, working with the Transitional Authorities and in consultation with MISCA and the French Forces, a comprehensive strategy for DDR and DDRR, and to support its implementation, including through technical assistance and by coordinating support from regional and international stakeholders;

(e) *Promotion and protection of human rights:*

- To monitor, help investigate and report to the Council on violations of international humanitarian law and on abuses and violations of human rights committed throughout the CAR, including any committed by the LRA, and to contribute to efforts to identify perpetrators, and to prevent such violations and abuses;
- To monitor, help investigate and report to the Council, specifically on violations and abuses committed against children as well as violations committed against women including all forms of sexual violence in armed conflict, including through the deployment of child protection advisers and women protection advisers;
- To help strengthen the capacities, including through technical assistance, of the national judicial system, including transitional justice mechanisms, and of the national human rights institutions and assist with national reconciliation efforts, coordinating with the International Commission of Inquiry as well as the Independent Expert, as appropriate;

(f) *Cooperation with the Committee and the Panel of experts established pursuant to paragraphs 57 and 59 of resolution 2127 (2013):*

- To assist the Committee established pursuant to paragraph 57 of resolution 2127 (2013) and the Panel of Experts established by the same resolution, within its capabilities, including by passing information relevant to the implementation of the mandate of the Committee and Panel of Experts;

(g) *Coordination of international actors:*

- To coordinate international actors involved in the implementation of the tasks described above;

3. *Requests* the Secretary-General to urgently reinforce BINUCA and provide it with significantly increased resources and expertise in order to fully and swiftly implement all aspects of the mandate defined in paragraph 2 of this resolution and increase its capacity of coordinating international actors in the field of its mandate and in this regard further *requests* the Secretary-General to submit proposals and resource requirements to appropriate bodies as soon as possible;

4. *Recalls* the need for the Transitional Authorities to restore state authority over the whole territory of the country and *underlines in this context* the importance of BINUCA's further expansion in the provinces;

5. *Stresses* the importance of BINUCA working closely with the United Nations Country Team and the Peacebuilding Commission;

6. *Welcomes* the deployment of an initial contingent of the Guard Unit from the Kingdom of Morocco on 1 January 2014, and *urges* the Secretary-General to expedite preparations for the swift deployment of the full Guard Unit at the earliest possible date;

7. *Stresses* the importance for BINUCA to urgently make all necessary preparations for elections, on an urgent basis, with the Transitional Authorities and the National Electoral Authority;

8. *Underscores* the importance for the Transitional Authorities to finalize, with the support of BINUCA, a comprehensive strategy for the disarmament, demobilization and reintegration (DDR) of combatants as well as repatriation (DDRR) in the case of foreign combatants, including of all children associated with armed forces and groups, working with the Transitional Authorities and in consultation with MISCA and the French Forces and in this regard reiterates its request to the Secretary-General to present detailed proposals for United Nations support in his forthcoming report due no later than 5 March 2014;

9. *Calls upon* the Transitional Authorities, with the assistance of BINUCA and international partners, to address the illicit transfer, destabilizing accumulation, and misuse of small arms and light weapons in the CAR, and to ensure the safe and effective management, storage and security of their stockpiles of small arms and light weapons, and the collection and/or destruction of surplus, seized, unmarked, or illicitly held weapons and ammunition, and further stresses the importance of incorporating such elements into SSR and DDR/R programs;

10. *Stresses* the urgent need to deploy throughout the country an increased number of BINUCA's human rights monitors in order to implement fully its mandate to monitor, help investigate and report to the Council on violations of

international humanitarian law and of abuses and violations of human rights committed throughout the CAR and to deploy an adequate number of child protection advisers and women protection advisers as stated in paragraph 10 of resolution 2121;

11. *Recalls* the need for BINUCA to facilitate the safe, civilian-led delivery of humanitarian assistance, in accordance with United Nations guiding principles of humanitarian assistance and in coordination with all humanitarian actors;

12. *Stresses* the need to immediately establish appropriate coordination mechanisms between BINUCA and MISCA and the European Union operation in the CAR;

13. *Expresses* its intention to closely monitor the implementation of the above and requests the Secretary-General to update the Council in this regard;

#### **Political process**

14. *Underlines* its support for the Libreville Agreements of 11 January 2013, the N'Djamena Declaration of 18 April 2013, the Brazzaville Appeal of 3 May 2013, the Transitional Charter and the declaration adopted by the International Contact Group on the CAR at its third meeting held in Bangui on 8 November 2013;

15. *Further welcomes* the designation by the National Transitional Council, on 20 January 2014, of Catherine Samba-Panza as the new Transitional Head of State, the appointment of Andre Nzapayeke as Transitional Prime Minister, and the formation of a Transitional Government;

16. *Urges* the Transitional Authorities to continue working for stabilization, national reconciliation and unity;

17. *Welcomes* the establishment of the National Electoral Authority (NEA) on 16 December 2013 and *underscores* the importance that the Transitional Authorities with the support of BINUCA should hold free and fair elections, including by ensuring participation of women, as soon as possible, but no later than February 2015 and, if possible, in the second half of 2014;

18. *Recalls* the commitment by the Transitional Authorities to initiate swift and concrete measures, including the convening of a Conciliation framework by 24 February 2014, to hold an inclusive and peaceful national dialogue to promote reconciliation and calls upon them to take swift action in this direction, in close coordination with BINUCA;

#### **Human rights and humanitarian access**

19. *Welcomes* the appointment of the International Commission of Inquiry on 22 January 2014, in order to immediately investigate reports of violations of international humanitarian law, international human rights law and abuses of human rights in CAR by all parties since 1 January 2013, *calls on* all parties to cooperate fully with this commission, and *encourages* BINUCA to cooperate, as appropriate, with the Human Rights Council Independent expert and the International Commission of Inquiry;



20. *Requests* BINUCA to provide assistance to Transitional Authorities in securing, in coordination with MISCA, evidence and crime scenes to support future investigations;

21. *Reiterates* that all perpetrators of such violations and abuses must be held accountable and that some of those acts may amount to crimes under the Rome Statute of the International Criminal Court (ICC), to which the CAR is a State party, and *recalls* the statements made by the Prosecutor of the ICC on 7 August 2013 and 9 December 2013;

22. *Calls upon* all parties to armed conflict in the CAR, including former Seleka elements and anti-Balaka elements, to issue clear orders prohibiting all violations and abuses committed against children, in violation of applicable international law, including those involving their recruitment and use, rape and sexual violence, killing and maiming, abductions and attacks on schools and hospitals and further calls upon Transitional Authorities to make and implement specific commitments on timely investigation of alleged violations and abuses in order to hold perpetrators accountable and to ensure that those responsible for such violations and abuses are excluded from the security sector;

23. *Reiterates* its demands that all parties protect and consider as victims those children who have been released or otherwise separated from armed forces and armed groups, and emphasizes the need to pay particular attention to the protection, release and reintegration of all children associated with armed forces and armed groups;

24. *Calls upon* all parties to armed conflict in the CAR, including former Seleka and anti-Balaka elements to issue clear orders against sexual and gender-based violence, and further calls upon Transitional Authorities to make and implement specific commitments on timely investigation of alleged abuses in order to hold perpetrators accountable, in line with its resolutions [1960 \(2010\)](#) and [2106 \(2013\)](#), and to facilitate immediate access for victims of sexual violence to available services;

25. *Reiterates* its call upon all parties to armed conflict in the CAR to engage with the Special Representative on Children and Armed Conflict and the Special Representative on Sexual Violence in Conflict;

26. *Demands* that transitional authorities as well as all militia groups and parties to the conflict, in particular the former Seleka, and the “anti-Balaka”, ensure the rapid, safe and unhindered access of humanitarian organizations and relief personnel and the timely delivery of humanitarian assistance to populations in need, while respecting the UN guiding principles of humanitarian assistance, including neutrality, impartiality, humanity and independence in the provision of humanitarian assistance;

27. *Expresses* deep concern at the increasing numbers of internally displaced persons as a result of the ongoing violence, *stresses* the need to ensure that the basic needs of those persons are met, in particular access to water, food and shelters, and *commends* UN humanitarian agencies and partners for their efforts to provide urgent and coordinated support to the population in need in the CAR while also recognizing the need to augment assistance to address increasing needs;



28. *Calls upon* Member States to respond swiftly to the United Nations' humanitarian appeals to meet the urgent and increasing needs of people inside the CAR and refugees who have fled to neighbouring countries and encourages to this effect the swift implementation of humanitarian projects by UN humanitarian organizations and partners;

29. *Acting under Chapter VII of the Charter of the United Nations, decides as follows:*

#### **Sanctions**

30. *Decides* that, for an initial period of one year from the date of the adoption of this resolution, all Member States shall take the necessary measures to prevent the entry into or transit through their territories of individuals designated by the Committee established pursuant to paragraph 57 of resolution 2127 (2013), provided that nothing in this paragraph shall oblige a State to refuse its own nationals entry into its territory;

31. *Decides* that the measures imposed by paragraph 30 above shall not apply:

(a) Where the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligation;

(b) Where entry or transit is necessary for the fulfilment of a judicial process;

(c) Where the Committee determines on a case-by-case basis that an exemption would further the objectives of peace and national reconciliation in the CAR and stability in the region;

32. *Decides* that all Member States shall, for an initial period of one year from the date of the adoption of this resolution, freeze without delay all funds, other financial assets and economic resources which are on their territories, which are owned or controlled, directly or indirectly, by the individuals or entities designated by the Committee established pursuant to paragraph 57 of resolution 2127, or by individuals or entities acting on their behalf or at their direction, or by entities owned or controlled by them, and *decides further* that all Member States shall ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any individuals or entities within their territories, to or for the benefit of the individuals or entities designated by the Committee;

33. *Decides* that the measures imposed by paragraph 32 above do not apply to funds, other financial assets or economic resources that have been determined by relevant Member States:

(a) To be necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services in accordance with national laws, or fees or service charges, in accordance with national laws, for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the relevant State to the Committee of the intention to authorize, where appropriate, access to such funds,

other financial assets or economic resources and in the absence of a negative decision by the Committee within five working days of such notification;

(b) To be necessary for extraordinary expenses, provided that such determination has been notified by the relevant State or Member States to the Committee and has been approved by the Committee; or

(c) To be the subject of a judicial, administrative or arbitral lien or judgment, in which case the funds, other financial assets and economic resources may be used to satisfy that lien or judgment provided that the lien or judgment was entered into prior to the date of the present resolution, is not for the benefit of a person or entity designated by the Committee, and has been notified by the relevant State or Member States to the Committee;

34. *Decides* that Member States may permit the addition to the accounts frozen pursuant to the provisions of paragraph 32 above of interests or other earnings due on those accounts or payments due under contracts, agreements or obligations that arose prior to the date on which those accounts became subject to the provisions of this resolution, provided that any such interest, other earnings and payments continue to be subject to these provisions and are frozen;

35. *Decides* that the measures in paragraph 32 above shall not prevent a designated person or entity from making payment due under a contract entered into prior to the listing of such a person or entity, provided that the relevant States have determined that the payment is not directly or indirectly received by a person or entity designated pursuant to paragraph 32 above, and after notification by the relevant States to the Committee of the intention to make or receive such payments or to authorize, where appropriate, the unfreezing of funds, other financial assets or economic resources for this purpose, 10 working days prior to such authorization;

36. *Decides* that the measures contained in paragraphs 30 and 32 shall apply to the individuals and entities designated by the Committee as engaging in or providing support for acts that undermine the peace, stability or security of the CAR, including acts that threaten or violate transitional agreements, or that threaten or impede the political transition process, including a transition toward free and fair democratic elections, or that fuel violence ;

37. *Further decides* in this regard that the measures contained in paragraphs 30 and 32 shall also apply to the individuals and entities designated by the Committee as:

(a) acting in violation of the arms embargo established in paragraph 54 of resolution [2127 \(2013\)](#), or as having directly or indirectly supplied, sold, or transferred to armed groups or criminal networks in CAR, or as having been the recipient of arms or any related materiel, or any technical advice, training, or assistance, including financing and financial assistance, related to violent activities of armed groups or criminal networks in CAR;

(b) involved in planning, directing, or committing acts that violate international human rights law or international humanitarian law, as applicable, or that constitute human rights abuses or violations, in the CAR, including acts involving sexual violence, targeting of civilians, ethnic- or religious-based attacks, attacks on schools and hospitals, and abduction and forced displacement;

(c) recruiting or using children in armed conflict in the CAR, in violation of applicable international law;

(d) providing support for armed groups or criminal networks through the illicit exploitation of natural resources, including diamonds and wildlife and wildlife products, in the CAR;

(e) obstructing the delivery of humanitarian assistance to CAR, or access to, or distribution of, humanitarian assistance in CAR;

(f) involved in planning, directing, sponsoring, or conducting attacks against UN missions or international security presences, including BINUCA, MISCA, the European Union operation and the other forces who support them;

(g) are leaders of, have provided support to, or acted for or on behalf of or at the direction of, an entity that the Committee has designated pursuant to this paragraph or paragraph 36 of this resolution;

38. *Expresses grave concern* over reports that some CAR political figures have provided support and direction to anti-Balaka and Seleka groups planning violence and serious human rights violations and abuses against the civilian population of the CAR, *demands* that these figures and all others cease any such activities immediately, and *directs* the Committee to consider, as a matter of urgency, designating such figures for targeted sanctions if they engage in any of the activities set forth in paragraph 36 and 37 of this resolution;

39. *Urges* CAR's political figures — including senior officials in the previous Bozize and Djotodia administrations, such as Francois Bozize and Nouredine Adam — to call on their supporters to cease any and all attacks on civilians;

40. *Decides* that the arms embargo established by paragraph 54 of resolution 2127 (2013) and the measures established by paragraph 55 shall be extended for a period of one year from the date of the adoption of this resolution and further *decides* that the measures established in paragraph 54 of resolution 2127 (2013) shall not apply to supplies intended solely for the support of or use by the European Union operation;

41. *Decides* that the mandate of the Committee shall apply with respect to the measures imposed in this resolution and that the mandate of the Panel of Experts, established by paragraph 59 of resolution 2127 (2013), shall be extended for a period of one year from the date of the adoption of this resolution and will also include: to assist the Committee by providing information regarding designated individuals and entities, and individuals and entities that may meet the designation criteria in paragraphs 36 and 37 above, including by reporting such information to the Committee, as it becomes available, and to include in its formal written reports, the names of potential designees, appropriate identifying information, and relevant information regarding why the individual or entity may meet the designation criteria in paragraphs 36 and 37 above ;

42. *Calls upon* all Member States to report to the Committee within ninety days from the adoption of this resolution on the steps they have taken with a view to implementing effectively paragraph 54 of resolution 2127 and paragraphs 30 and 32 of this resolution;

**Mandate for the European Union operation in the CAR**

43. *Authorizes* the European Union to deploy an operation in the CAR as referenced in the letter dated 21 January 2014 from the High Representative of the European Union (S/2014/45);

44. *Authorizes* the EU operation to take all necessary measures within the limits of its capacities and areas of deployment from its initial deployment and for a period of six months from the declaration of its full operational capacity;

45. *Requests* the European Union to report to the Council on the implementation of this mandate in the CAR and to coordinate its reporting with the reporting by the African Union referred to in paragraph 32 of resolution 2127;

46. *Calls upon* Member States, including neighbouring countries of the CAR, to take appropriate measures to support the action of the European Union, in particular by facilitating the transfer to the CAR, without obstacles or delay, of all personnel, equipment, provisions, supplies or other goods, including vehicles and spare parts, intended for the European union operation;

47. *Invites* the Transitional Authorities of the CAR to conclude a status of forces agreements as soon as possible for the establishment of the European Union operation;

48. *Emphasizes* the need for all military forces in CAR, while carrying out their mandate, to act in full respect of the sovereignty, territorial integrity and unity of CAR and in full compliance with applicable international humanitarian law, human rights law and refugee law and recalls the importance of training in this regard;

49. *Requests* the Secretary-General to report to the Security Council on the implementation of BINUCA's mandate every 90 days after the adoption of this resolution;

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

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**United Nations Sanctions (Central African Republic) Regulation  
Information on the Central African Republic**

**Country Background**

The Central African Republic is a landlocked country in Central Africa. It borders Chad in the north, Sudan in the northeast, South Sudan in the east, the Democratic Republic of the Congo and the Republic of Congo in the south and Cameroon in the west. It has a total area of 622,984 sq. km.<sup>Note 1</sup> and an estimated population of around 4.525 million in 2012.<sup>Note 2</sup> With its capital in Bangui, the Central African Republic first achieved independence in 1960. The Central African Republic had a GDP of US\$2.17 billion (or HK\$16.85 billion) in 2012.<sup>Note 3</sup> Merchandise imports and exports of the Central African Republic in 2012 amounted to US\$ 320 million (or HK\$2.48 billion) and US\$ 210 million (or HK\$1.63 billion) respectively.<sup>Note 2</sup>

**United Nations Sanctions against the Central African Republic**

2. Since independence in 1960, four of the country's five presidents have been removed from power through unconstitutional means, and state authority is weak in many parts of the country. Ethnic tensions in the north and the presence of the Lord's Resistance Army, an armed group known for its brutal tactics, have added to instability, which has crippled the country for decades and driven people away from their homes.<sup>Note 4</sup>

3. The country witnessed the latest turmoil in December 2012 when the Séléka rebel coalition launched a series of attacks, culminating in March 2013 when President François Bozizé was forced to flee. A transitional government, headed by the then Prime Minister Nicolas Tiangaye, has been entrusted with restoring law and order and paving the way for democratic elections. However, armed clashes in the north-eastern part of the country have increased since August 2013, and the country is facing a dire humanitarian situation that affects virtually the entire population.

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Note 1 Source: World Statistics Pocket Book published by the United Nations Statistics Division at [http://unstats.un.org/unsd/pocketbook/World\\_Statistics\\_Pocketbook\\_2013\\_edition.pdf](http://unstats.un.org/unsd/pocketbook/World_Statistics_Pocketbook_2013_edition.pdf)

Note 2 Source: International Trade Statistics published by the World Trade Organisation at <http://stat.wto.org/CountryProfile/WSDBCountryPFView.aspx?Language=E&Country=CF>

Note 3 Source: World Economic Outlook Database, October 2013 published by the International Monetary Fund at <http://www.imf.org/external/pubs/ft/weo/2013/02/weodata/weorept.aspx?sy=2012&ey=2012&scsm=1&ssd=1&sort=country&ds=.&br=1&c=626&s=NGDPD&grp=0&a=&pr.x=68&pr.y=5>

Note 4 The Department of Political Affairs of the United Nations at [http://www.un.org/wcm/content/site/undpa/main/activities\\_by\\_region/africa/central\\_african\\_republ ic](http://www.un.org/wcm/content/site/undpa/main/activities_by_region/africa/central_african_republ ic)

4. With the deteriorating situation in the country characterised by a total breakdown of law and order and widespread human rights abuses, notably by former Séléka rebels and militia groups, the United Nations Security Council (UNSC) unanimously adopted resolution 2127 on 5 December 2013 authorising the African-led International Support Mission in the Central African Republic (MISCA), to quell the spiralling violence, as well as the deployment of French troops to assist it. The resolution also imposes a sanctions regime, including a year-long embargo banning the sale or transfer to the Central African Republic of weapons of all types, including ammunition, military vehicles and paramilitary equipment. Determining that the situation in the Central African Republic continues to constitute a threat to international peace and security in the region, the UNSC expanded the sanctions against the Central African Republic, including a year-long travel ban and financial sanctions, via the adoption of UNSCR 2134 on 28 January 2014. <sup>Note 5</sup>

### **Trade Relation between Hong Kong and the Central African Republic**

5. In 2013, the Central African Republic ranked 180<sup>th</sup> among Hong Kong's trading partners in the world, with a total trade of HK\$21.8 million. Of these, HK\$21.2 million worth of trade were exports to the Central African Republic, and HK\$0.6 million imports. Hong Kong's trade with the Central African are summarised as follows –

<b>Hong Kong's Trade with the Central African Republic</b> [Value in HK\$ (in million)]		
<b>Item</b>	<b>2012</b>	<b>2013</b>
(a) Total Exports to the Central African Republic	26.9	21.2
<i>(i) Domestic exports</i>	- <sup>Note 6</sup>	0.01 <sup>Note 7</sup>
<i>(ii) Re-exports</i>	26.9 <sup>Note 8</sup>	21.2 <sup>Note 9</sup>
(b) Imports from the Central	17.4 <sup>Note 10</sup>	0.6 <sup>Note 11</sup>

<sup>Note 5</sup> Source of information contained in paragraphs 3-4: UN News Centre at <http://www.un.org/news/>

<sup>Note 6</sup> In 2012, domestic exports to the Central African Republic valued less than HK\$500 and they are parts and accessories of office machines and computers (100%).

<sup>Note 7</sup> In 2013, domestic exports to the Central African Republic include manufactured tobacco (52.9%).

<sup>Note 8</sup> In 2012, re-exports to the Central African Republic include telecommunications equipment (96.6%); musical instruments and sound recordings (0.9%); parts and accessories of office machines and computers (0.5%); and electrical machinery and apparatus (0.5%).

<sup>Note 9</sup> In 2013, re-exports to the Central African Republic include telecommunications equipment (89.1%); passenger motor cars (2.5%); and automatic data processing machines and units thereof (2.6%).

<sup>Note 10</sup> In 2012, imports from the Central African Republic include pearls, precious and semi-precious stones, unworked or worked (91.4%); fresh or frozen meat other than of bovine animals (3.0%); and meat and edible, meat offal, prepared or preserved (2.5%).

<sup>Note 11</sup> In 2013, imports from the Central African Republic include telecommunications equipment (60.6%); dried or salted fish (25.8%); and plastic articles (11.7%). The decrease in imports from the Central African Republic in 2013 was due to the drop in demand for pearls, precious and semi-precious stones,

<b>Hong Kong's Trade with the Central African Republic</b> [Value in HK\$ (in million)]		
<b>Item</b>	<b>2012</b>	<b>2013</b>
African Republic		
<b>Total Trade [(a) + (b)]</b>	<b>44.3</b>	<b>21.8</b>

In 2013, HK\$23.6 million worth of goods, or 6.1%<sup>Note 12</sup> of the total trade between the Central African Republic and the Mainland, were routed through Hong Kong. Of these, HK\$3.5 million worth of goods were re-exports from the Central African Republic to Mainland. The remaining HK\$20.1 million were re-exports of Mainland origin to the Central African Republic via Hong Kong.

6. The sanctions against the Central African Republic imposed by UNSC would unlikely affect the trade between Hong Kong and the Central African Republic notably, as the major categories of commodities traded are not related to arms or other related products. In addition, given the rather small trade volume between the two places, the United Nations sanctions against the Central African Republic would unlikely have any significant effect on the Hong Kong economy.

**Commerce and Economic Development Bureau**  
**April 2014**

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unworked or worked.

Note 12 The percentage is an estimate with reference to China's Customs Statistics and Hong Kong Trade Statistics.