

# Targeting Spoilers

## The Role of United Nations Panels of Experts

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Cover photo: United Nations Operation in Côte d'Ivoire (UNOCI) peacekeepers conduct arms embargo inspections on government forces in western Côte d'Ivoire.

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## PREFACE

Since 2001, Stimson’s program on the Future of Peace Operations (FOPO) has worked to promote sensible US policy toward greater UN effectiveness in the conduct of peace operations—internationally-mandated efforts that engage military, police, and other resources in support of transitions from war to peace in states and territories around the globe. Such places suffer from many deficits—in education, health, jobs, and infrastructure—but the greatest and most costly, in the long run, is their deficit in the rule of law and security. This deficit impacts quality of governance, justice, and other goals of international security and aid institutions that want to promote sustainable peace and development. There is, however, no agreed definition of the term “rule of law.” For purposes of this and other reports in FOPO’s series on restoring post-conflict rule of law, we therefore choose to use the relatively comprehensive definition contained in the UN Secretary-General’s August 2004 report on the rule of law and transitional justice. It defines rule of law as:

a principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to the laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards. It requires, as well, measures to ensure adherence to the principles of supremacy of law, equality before the law, accountability to the law, fairness in the application of the law, separation of powers, participation in decision making, legal certainty, avoidance of arbitrariness and procedural and legal transparency.<sup>1</sup>

Promoting and sustaining the rule of law in war-torn lands requires a multidimensional approach that extends beyond the reform and restructuring of local police, judicial, and corrections institutions to:

- Early provision of public security by the international community while local security forces are reformed and rebuilt.
- International support for effective border controls, both to curtail illicit trade and to promote legitimate commerce and government customs revenues.
- Curtailment of regional smuggling rings and spoiler networks that traffic in people and commodities to finance war and, afterwards, to sustain war-time political and economic power structures.
- Strict legal accountability for those who participate in peace operations, lest their actions reinforce the very cynicism and resignation with regard to impunity that their work is intended to reverse.
- Recognition that corruption can drain the utility from any assistance program and undermine the legitimacy of post-war governments in the eyes of their peoples.

This study is one of five produced by FOPO, each addressed to one of the areas above. During and after conflict, continued smuggling of small arms, as well as of high-value commodities (such as diamonds, precious metals, and timber) sustains war and impedes peace, feeds the informal economy, and undermines efforts to support peacebuilding and sustain the rule of law. To disrupt such “spoiler” networks, the UN Security Council has regularly imposed targeted sanctions on some countries, groups,

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<sup>1</sup> United Nations Secretary-General, *The rule of law and transitional justice in conflict and post-conflict societies*, Report of the Secretary-General, S/2004/616, 23 August 2004, para. 2.

and individuals. To track the progress of these measures, the United Nations has appointed small teams of investigators to monitor and evaluate sanctions implementation. These Panels or Groups of Experts shed critical light on the problems in the implementation UN sanctions regimes by writing detailed reports about how these networks operate, from Liberia and the Democratic Republic of the Congo (DRC) to Afghanistan, and recommending measures to counter them and to contribute to building the rule of law. These Panels face challenges, however, both in the field and in getting the Security Council and UN member states to implement their many recommendations. This study details the challenges they face in fulfilling their mandates, highlights how implementing Panel recommendations could improve post-conflict rule of law, and offers recommendations about how the Panels could be better used. This study and the other four described briefly, below, is available at Stimson's FOPO website: [www.stimson.org/fopo](http://www.stimson.org/fopo).

**Police.** Rampant criminality and dysfunctional or abusive local police forces pose dire risks to fragile peace processes, undermining public confidence in nascent governments and increasing the likelihood of renewed conflict. The growing numbers of international police authorized by the Security Council to serve in UN missions attests to an increasing recognition of the importance and challenge of fostering the rule of law in post-conflict environments. To date, however, the United Nation's capacity to recruit and deploy highly-skilled officers to the field in a timely manner has fallen far short of what is required to succeed in this task. This study attempts to address present shortfalls in UN capacity through a series of reinforcing proposals, including: a core standing cadre of UN police and rule of experts to serve as mission leadership; a UN Police Reserve that offers police forces and governments financial incentives to participate; and, a Senior Reserve Roster to promote the availability of highly experienced rule of law professionals for UN peacekeeping mission service. The study is *Enhancing United Nations Capacity to Support Post-Conflict Policing and Rule of Law*, by Joshua G. Smith, Victoria K. Holt, and William J. Durch.

**Borders.** FOPO's border security study, *Post-Conflict Borders and UN Peace Operations*, is in two parts. In part one, Kathleen A. Walsh surveyed more than 100 international border assistance and training programs. Her report, "Border Security, Trade Controls, and UN Peace Operations," found both a great deal of overlap and lack of coordination among these programs that, if remedied, could make them much more cost-effective. In the second part of the study, "A Phased Approach to Post-Conflict Border Security," Katherine N. Andrews, Brandon L. Hunt, and William J. Durch, laid out the requirements for coordinated international support to border security in post-conflict states that host international peace operations.

**Accountability.** In 2004, major problems of sexual exploitation and abuse by UN peacekeepers in the DRC and other operations became a public scandal for the United Nations. Before that story broke, FOPO had begun work on the problem of criminal accountability for personnel in peace operations. Because states retain disciplinary responsibility for their military forces in peace operations, that work focused on police and civilian personnel. As operations become more deeply involved in assisting or substituting for local government, their personnel must themselves be subject to the rule of law, and be seen as subject to it by local peoples. FOPO found, however, that the tenuous reach of the law—any law—covering criminal acts by UN personnel on mission has left a legal and procedural vacuum filled only in part by administrative sanctions (docking of pay, job loss, blacklisting, etc). FOPO therefore looked into the cost and feasibility of other options, some of which would require serious rethinking of criminal jurisdiction in and for peace operations. The study is *Improving Criminal Accountability for*

Police and Civilian Personnel in UN Peace Operations, by Katherine N. Andrews, William J. Durch, Madeline L. England, and Matthew C. Weed.

**Corruption.** As a contribution to the many efforts to contain and reduce pervasive corruption in post-conflict settings, FOPO reviewed what the world's specialists in corruption say about how to recognize and fight it in post-conflict circumstances, especially where international peace operations are deployed. The resulting study, a meta-analysis of the English-language literature on the subject, reflects a search for consensus and insight rather than independent field research. Its principal contributions lie in its structured summaries of the literature surveyed and in how it uses that structured assessment to visualize both the patterns of post-conflict corruption and emerging best practices in fighting it. The study is *Mapping and Fighting Corruption in War-Torn States*, by Alix J. Boucher, William J. Durch, Margaret Midyette, Sarah Rose, and Jason Terry.

All of these studies recognize that the United Nations cannot immediately “create” the rule of law in countries where it does not exist, or transform recalcitrant and abusive police into model protectors of the public trust in a few short months. Such efforts take time. Moreover, even well-equipped peacekeepers will have difficulty totally securing hundreds of miles of border in unfamiliar and rugged terrain against smuggling or spoilers, nor is it likely that the best-coordinated international efforts can completely eradicate corruption in post-conflict circumstances. The United Nations and its partners can, however, provide critical assistance, guidance, and support on all of these issues, step by step, to fragile governments attempting to develop the capacity and legitimacy to effectively govern on behalf of their peoples. In short, the United Nations, its member states, and other international institutions and aid donors can help fragile states begin the rocky journey toward self-sustaining peace, good governance, and stable economic livelihoods. The common foundation on which such institutions and outcomes must be built is respect for and deference to the rule of law.

## LIST OF ACRONYMS

ACABQ	Advisory Committee on Administrative and Budgetary Questions (UN General Assembly)
AMIS	African Union Mission in Sudan
AMISOM	African Union Mission in Somalia
AU	African Union
CNDP	Congrès National pour la Démocratie (DRC)
CTC	Counterterrorism Committee (of the UN Security Council)
CTED	Counterterrorism Executive Directorate
DDR	Disarmament, Demobilization, and Reintegration
DPA	Department of Political Affairs (UN Secretariat)
DPA	Darfur Peace Agreement (Sudan)
DPKO	Department of Peacekeeping Operations (UN Secretariat)
DRC	Democratic Republic of the Congo
ECOMIL	ECOWAS Mission In Liberia
ECOMOG	Economic Community of West African States Monitoring Group
ECOWAS	Economic Community of West African States
EU	European Union
EUFOR Tchad/RCA	European Union Force Chad/La République de Centre Afrique Forces Armées de la République Démocratique du Congo (DRC Armed Forces)
FARDC	
FDA	Forestry Development Authority (Liberia)
FDLR	Forces Démocratiques pour la Libération du Rwanda (DRC)
FN	Forces Nouvelles (in Côte d'Ivoire)
FOPO	Future of Peace Operations program at Stimson
GEMAP	Governance and Economic Management Assistance Program (Liberia)
IATA	International Air Transport Association
ICAO	International Civil Aviation Organization
ICC	International Criminal Court
ICOI	International Commission of Inquiry (on Rwanda)
ICRC	International Committee of the Red Cross
ICU	Islamic Courts Union (in Somalia)
IEEPA	International Emergency Economic Powers Act (USA)
IGAD	Inter-Governmental Authority on Development
IMF	International Monetary Fund
IMO	International Maritime Organization
JEM	Justice for Equality Movement (Sudan)



JMAC	Joint Military Assessment Cell (UN)
JPO	Junior Professional Officer (UN)
KPCS	Kimberley Process Certification Scheme
LFI	Liberia Forest Initiative
LNP	Liberian National Police
LURD	Liberians United for Reconciliation and Democracy
MINURCAT	United Nations Missions in the Central African Republic and Chad
MODEL	Movement for Democracy in Liberia
MONUC	Mission des Nations Unies en République Démocratique du Congo
NGO	Nongovernmental Organization
NPFL	National Patriotic Front of Liberia
NTGL	National Transitional Government of Liberia
OCHA	Office for the Coordination of Humanitarian Affairs
OFAC	Office of Foreign Assets Control (at the US Treasury)
OIOS	Office of Internal Oversight Services (UN Secretariat)
OLA	Office of Legal Affairs (UN Secretariat)
ONUB	United Nations Operation in Burundi
RCD	Rassemblement Congolais pour la Démocratie (DRC)
RUF	Revolutionary United Front (in Sierra Leone)
SACO	Sanctions Committee (of the UN Security Council)
SLA	Sudan Liberation Army
TFG	Transitional Federal Government (Somalia)
UN	United Nations
UNAMA	United Nations Assistance Mission in Afghanistan
UNAMID	United Nations African Union Mission in Darfur
UNAMIR	United Nations Assistance Mission in Rwanda
UNAMSIL	United Nations Assistance Mission in Sierra Leone
UNDP	United Nations Development Program
UNITA	União Nacional para a Independência Total de Angola
UNMIL	United Nations Mission in Liberia
UNMIS	United Nations Mission in the Sudan
UNOCI	United Nations Operation in Côte d'Ivoire
UNOMIL	United Nations Observer Mission in Liberia
USAID	United States Agency for International Development
WCO	World Customs Organization
WMD	Weapons of Mass Destruction

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## EXECUTIVE SUMMARY

United Nations Panels of Experts are small, civilian, fact-finding teams appointed by the United Nations (UN) Security Council to monitor the effectiveness of the targeted sanctions it imposes on those who threaten peace in war-torn regions. The Security Council has increasingly tried to hinder these spoilers with limited sanctions—travel bans, assets freeze, and embargoes on trading arms, diamonds, and timber. In turn, the Council has also sent these investigative Panels to report on the implementation of those sanctions regimes in various regions, as well as to offer analysis on the nature of the conflicts, the exploitation of natural resources and the grounds for lifting sanctions.

The Security Council first used a Panel-type mechanism in 1995 to monitor violations of the arms embargo it had imposed on Rwanda a year earlier. Since then, the United Nations has appointed a Panel of Experts in conjunction with all UN targeted sanctions regimes except for the arms embargo imposed on Ethiopia and Eritrea in 2000 (terminated a year later in 2001), the sanctions imposed following the assassination of Rafik Hariri, the sanctions imposed on North Korea and Iran to prevent their acquisition of nuclear weapon technology, and the sanctions on former members of the Iraqi regime. Today, Panels of Experts monitor targeted sanctions on Côte d’Ivoire, the Democratic Republic of the Congo, Liberia, Sierra Leone, Somalia, and Sudan, and for Al-Qaida and the Taliban.

### **Why UN Panels on Sanctions Matter**

Over the years, Panels have developed as key companions to the targeted sanctions the Council imposes. The fact that the Council now uses them regularly demonstrates its reliance on their reports to help determine which actors bear responsibility for violating sanctions and perpetrating conflict. Panel investigations, findings, and recommendations play an important public role as well, not only in bringing focus to the results of UN targeted sanctions but in providing the international community published information and analysis about continuing threats to peace and security in key regions. Targeted sanctions, even if only partially implemented, may also deter actors and leaders from continuing activities and may decrease their ability to use frozen funds, travel, and trade in key commodities. More importantly, however, by monitoring the sanctions, Panels identify areas of continuing and potentially illicit activity, institutional instability, and threats to peace processes. Their suggestions aim to help build national-level government capacity, to restrict arms suppliers, to reform commodity management, and to effectively monitor borders.

Panels, however, demonstrate that targeted sanctions are far from being implemented. The valuable information they offer does not necessarily translate into member state or Security Council action. The reports of Panels also vary in their quality, depth, and usefulness; but in lieu of other such systematic report to the Security Council of this nature, it remains an open question as to what other mechanism can provide such information and analysis on the specific subjects.

### **This Study: Implementing Targeted Sanctions, Supporting Peace**

This study makes the case that Panel efforts deserve greater attention from and use by the United Nations and member states to maximize their potential to improve implementation of targeted sanctions. The enormous concern of the Security Council for international peace and security is the basis for using sanctions. Thus, sanctions are often applied during a crisis; Panel reports continue to spotlight key issues and publicly name dangerous actors as a peace effort develops or falters.

This report takes an in-depth look at the role of Panels of Experts and examines their history, the evolution of Panel roles and the challenges they face, as well as documents their recommendations across all such Panels. In **Part I**, the study offers a portrait of this UN mechanism. The focus is on issues of: how Panels are organized and managed; their relationship with the Security Council and the UN Secretariat; and the way their reports are used. These structural issues impact the effectiveness and credibility of targeted sanctions and Panel efforts, as do how Panel members understand their mission and carry out their own research and reporting. In addition, this study considers the relationship between Panels and UN peace operations and their potential for better coherence with other peace support efforts. The study looks in-depth at the case of Liberia, which offers a fascinating and useful example of how Panels helped support a longer-term effort to support Liberia's transition to a more stable peace, with improved governance and a peacebuilding strategy. Key recommendations are offered for improving Panels, for implementing targeted sanctions and Panel findings, and for harmonizing these roles with UN efforts to support sustainable peace and the rule of law.

**Part II** of this study is extensive documentation of Panel findings and a series of charts with Panel recommendations from their investigations in Côte d'Ivoire, the DRC, Liberia, Sierra Leone, Somalia, and Sudan since 2000. These charts demonstrate the breadth of recommendations made by the expert groups and the action taken by the Security Council in response. The charts also show the limited reporting on implementation of Panel recommendations by member states. The charts for Liberia are appended to the end of this report, while the other charts can be found online at [www.stimson.org/fopo](http://www.stimson.org/fopo).

## Key Findings

*Panels Are a Popular Mechanism.* This study found that the Security Council has increasingly used UN Panels of Experts for evaluating sanctions implementation over the last decade. In 1999, one expert Panel was authorized by the Council; that number grew to four Panels in 2002, to five Panels in 2005, and to six Panels today. The scope of their mandates has also grown, from the initial direction to monitor key sanctions regimes to today's wider requests to also assess the socioeconomic impact, to describe key armed groups in a conflict and to look at the capacity of key government sectors. The level of specific, practical, and often nuanced guidance to help implement sanctions has thus increased, as Panel members also are given longer terms to serve. Today, Panel findings also offer the Council recommendations to address national-level governance capacity, to restrict arms suppliers, to reform commodity management, and to effectively monitor borders.

*Resources Not Matching Growth of Panels.* In looking at UN Secretariat support for Panels and sanctions implementation, we found that the growth in the Security Council's appointment of Panels has not been married with resources for the Secretariat to support this enterprise. Within the DPA, the Subsidiary Organs Branch of the Security Council Affairs Division provides key substantive and administrative to support the Security Council Sanctions Committees and if applicable, the relevant Panels. With a small staff, however, the Secretariat has often struggled to provide sufficient and effective administration, resourcing, recruitment, preparation, logistics, and continuity to Panels throughout their mandates.

*Beyond Panels, Little Tracking of Sanctions Implementation.* The United Nations does not have a systematic way of cataloguing—let alone tracking—member state actions to implement sanctions and Panel recommendations. FOPO found no central site either within the United Nations, an outside government, or non-governmental organization that collected the responses of UN member states

concerning their record in meeting UN requirements to implement targeted sanctions. Only a few countries make their compliance record publicly available. Further, there appear to be few repercussions when nations do not cooperate. Indeed, the Security Council's lack of responses to the sanctions violations reported by Panels reveals the Council's own ambiguous commitment to targeted sanctions.

*Panels Highlight Need for Member State Cooperation.* The Security Council imposes targeted sanctions under a Chapter VII mandate and directs that member states comply, yet requests from Panels for cooperation meet with a wide variety of responses. Panels need assistance from member states including information, interviews, and permissions to visit. Some Panel investigations involve countries that are insufficiently cooperative or may not support their goals. The lack of cooperation usually manifests as logistical hurdles, missed meetings, and poor information-sharing.

Other countries, however, lack the institutional capacity, which Panel reports repeatedly highlight. In short, even states that are willing to implement sanctions sometimes cannot do so if they do not monitor their borders, for example, either for financial reasons or because they lack the institutional capacity and staff to do so. Customs officials also may not be sufficiently trained to perform their jobs. Alternatively, government revenues might be so low that government officials go unpaid and thus solicit bribes, letting commodities and people through in violation of sanctions. The challenge in these cases is how to assist states to build the capacity they need to implement sanctions effectively.

*Increased Cooperation between Panels and UN Peace Operations.* Many Panels operate in countries with UN-led peacekeeping operations, including today in Liberia, Côte d'Ivoire, the DRC, and Sudan. In addition, the Somalia and Sudan Panels have worked in countries with African Union (AU) peace operations. This concurrence of Panels and peace operations is not entirely new, but cooperation and collaboration in the field and within the UN Secretariat is still developing. In general, Panels that work alongside peace operations benefit from their capacities and depend upon them for key logistical support, as well as to ensure sufficiently secure environments for the Panels to operate freely and efficiently.

The Security Council is inconsistent in its directions to Panels and peace operations about their relationship. Not all UN peace operations have specific mandates to work with Panels, nor do all Panels have mandates to work with UN missions. Within peace operations, Panel members have found that some peacekeeping offices are not familiar with their mandates concerning the Panels. Also, most UN peace operations do not have a systematic mandate to monitor and track—let alone enforce—either UN targeted sanctions or their violations. Indeed, in the countries where both a Panel and peace operation are deployed, only the missions in the DRC (MONUC) and Côte d'Ivoire (UNOCI) are specifically mandated to monitor the relevant arms embargoes. Existing close cooperation, such as information-sharing with MONUC's Joint Mission Analysis Cell or working closely with UNOCI's embargo cell has also proven important. Nonetheless, peace operations rarely gather relevant information on illicit trade and do not take steps to address the ensuing threats.

*Useful Lessons from Panel in Liberia.* The Liberia Panel of Experts is an interesting example of how Panel reports can contribute to improving the rule of law in a post-conflict state. Since 2001, the Panel has monitored the UN sanctions imposed on Liberia: a travel ban and assets freeze; a weapons embargo; a diamonds embargo; and a timber embargo. It was also tasked with monitoring Liberia's progress towards lifting the sanctions. During the tumultuous years of its mandate—including renewed war, the

2003 deployment of a large UN peacekeeping force, the departure of the notorious Charles Taylor, the imposition of a fledgling and widely corrupt transitional government, and finally, in late 2005, successful elections—the Panel has played a unique role in monitoring the embargoes on weapons, diamonds, and timber. The Panel found itself in a position to recommend steps to improve governance in those sectors. As part of its mandate, the Liberia Panel offered documentation of the government’s policies toward lifting the sanctions and the progress made in fighting corruption and creating a government that, rather than enriching its leaders, serves the population. With the implementation of Panel recommendations, along with a new commitment to building institutions, fighting corruption, and equitable sharing of resources, Liberia has met the requirements for lifting the UN diamond and timber sanctions. The Liberia Panel, particularly its reports and recommendations, continues to impact the post-conflict efforts for governance and peace today.

*Emerging Links between Sanctions Implementation and Peacebuilding.* In addition to the Liberia case, other Panels have demonstrated the challenges to sanctions implementation and peacebuilding within key regions. Panel roles have included analyzing how belligerents use natural resources to fund weapons purchases, how weak states can instead grow to channel such funds into legitimate enterprises and government revenues, and how naming combatants leads to ending impunity and a better functioning justice system. Finally, Panels have documented how the behavior of nations who enable conflict can be pressed to end such support, and identified how institutional deficiencies in both the targeted and neighboring states could help find ways to support the implementation of sanctions.

## **KEY RECOMMENDATIONS**

Since their first use in 1999, the Security Council has thus directed Panels of Experts to go beyond basic fact-finding of sanctions violations to more in-depth analysis of *how* and *why*, by whom, and where UN targeted sanctions are undermined. Today the question is how to strengthen and improve Panel work and international responses to sanctions implementation and violations, and to consider how Panels can help develop a more comprehensive UN approach to address corruption, criminality, and challenges to peace. From these findings, clear recommendations emerge.

### **Organizational and Administration Support from the Secretariat and the Council**

The UN Secretariat needs greater professional capacity within the Department of Political Affairs (DPA) to support the work of the Panels, the Sanctions Committees, and the Security Council. Each sanctions regime should have a dedicated professional Political Affairs Officer to support it. Strengthened DPA backing should lend increased professional and administrative capacity for the substantive research and analytic role as well. Because Panel members and Sanctions Committees have different priorities for the DPA, clearer guidelines in terms of the support expected would also be useful.

The DPA needs to standardize its orientation to new Panel members, including more substantive preparation about the history, actors, and region. The basic (though informal) handbook for Panel members on the UN rules, legal issues, core methodology, and the operational protocols needs to be expanded and accompanied by briefings or an induction course to ensure that incoming members receive the same information from the staff, rather than rely on their Panel colleagues to brief them.

Funding issues have constrained the use and effectiveness of the Panels and the DPA. Indeed, the issue has also been raised in the Panels’ reports themselves. Panels are funded through the Department of Political Affairs, within the account that supports “Special Political Missions” in the UN Regular

Budget. The account for Panels of Experts typically has an annual budget of US\$19-20 million. Of that US\$20 million, sanctions monitoring in Africa is supported with about US\$5-6 million per year. The rest of the budget supports Special Political Missions on Al-Qaida and the Taliban, counterterrorism, and weapons of mass destruction.

### **Panel Functions: Credibility & Effectiveness**

To ensure the quality and reliability of Panel reports, better recruitment procedures and a system to evaluate expert performance would be useful. Panels have used different methodologies in their investigations and adopted varied views of what qualifies as standards of data for Panel reports. The Sanctions Committees should help clarify definitions of what constitutes a sanctions violation and answer requests from Panels in a timely manner. The Office of Legal Affairs (OLA) should increase its cooperation with the Panels, Sanctions Committees, and the DPA staff to provide additional guidance on legal issues with identifying and reporting violations of UN targeted sanctions.

Increasing cooperation between expert groups should be strengthened. DPA plans for an online information database for storing Panel data deserves implementation, as do plans for an online platform for sharing information across Panels. Those systems should allow for remote access to information, provide storage and archiving capacity, and ease contacts both between experts and across the different Panels. They should also facilitate recording experts' degree of confidence with the information they gather, something important given that they may be replaced or that their research may extend into several mandates. The platform will also help the Panels, Sanctions Committees, and the Secretariat keep one another informed about their ongoing activities, findings, and needs.

The time is ripe for an annual workshop for current and former Panel members, the DPA, current and former Sanctions Committees Chairs, and members of the Working Group on Sanctions on lessons learned from Panels of Experts, challenges in cooperation, and steps for improvement.

### **Working with Member States**

When the Council and Sanctions Committees request member states to detail their implementation efforts to the relevant Sanctions Committees, countries should acknowledge receipt of Council resolutions and report on the specific steps they have taken to implement the sanctions. As much as possible, those reports should be made public—so citizens know exactly which states have worked to implement targeted sanctions and which are delinquent. Because these measures are imposed under Chapter VII and Panels operate under that authority, the Security Council should consider imposing secondary sanctions on individuals, entities, and member states that particularly impede the Panels' work.

A system to track Panel findings on institutional capacity to implement sanctions could also assist member states to match gaps identified in Panel reports with assistance. Where countries find reporting requirements challenging, they should be offered assistance to meet these requirements, as has been provided through the counterterrorism and monitoring regimes. This kind of support could be utilized by the Sanctions Committees on Côte d'Ivoire, the DRC, Liberia, Somalia, and Sudan which, unlike the counterterrorism committees, have no specified mechanisms to match donor assistance with gaps in capacity.

To assist with this effort, the United Nations and member states could use Part II of this report, with FOPO's Summary Charts of the Panel's findings, to track implementation of Council-endorsed Panel recommendations. The charts could be used to build a database and interactive website where UN and member state officials could share information on implementation. The site could also allow member states and other assistance providers to track where ongoing initiatives so that efforts are not duplicated.

### **Working with UN Peace Operations**

Cooperation with other UN offices and missions should be strengthened and improved. As information-sharing and substantial cooperation on sanctions monitoring remain in their early stages, the Security Council should take steps to ensure, that to the extent possible, peace operations and Panels work together to understand and monitor these threats and to find ways to address them. The United Nations needs to better understand the potential for improved collaboration, as well as the normative and operational challenges of encouraging such joint support, even as it must be cautious about assigning additional tasks to overstretched UN operations.

### **Addressing Governance: Using the Liberian Lessons**

With increased attention to information in Panel reports, much could also be done to improve rule of law in post-conflict states. Liberia is a particularly instructive example for considering the roles of Panels in identifying and offering strategies to address peace spoilers in regionalized conflicts and to support governance and rule of law. That experience suggests that the Council should consider using Panels to help assess targeted nations' progress toward the lifting of sanctions. Moreover, other Panels could also be used to monitor a country's efforts to reform key institutions and build the rule of law. By highlighting governance challenges, the work of the Panels can help guide the reforms necessary for countries to build sustainable and lasting peace.

## **CONCLUSION**

The growth in Panels and their widened mandates suggest that the Security Council and its Sanctions Committees rely on them. This apparent enthusiasm, however, is not equally matched by the active backing of many member states or more consistent Council strategies to support sanctions implementation. Some countries and their leaders remain unfamiliar either with UN targeted sanctions regimes, or with the Panels' role and mandates, slowing cooperation. Without a more systematic source of member state reporting on implementation, the sanctions remain far from public attention and not operationalized to greatest effect. In turn, distinguishing between a lack of state capacity to implement sanctions or Panel recommendations is difficult, as is matching needs with capacity-building assistance.

While not all Panel reports contain valuable or actionable recommendations, the study demonstrates that UN Panels findings can be quite useful. They remain under-utilized, yet implementation of their recommendations, if integrated with wider efforts to build the rule of law, could contribute to building peace and security. By highlighting gaps in capacity to re-establish the rule of law, Panel reports can play an essential part in determining which public sector activities should receive priority from international assistance providers.

As Panel reports and evidence are increasingly used to determine whether to maintain sanctions, it remains crucial that Panels retain their independence while their findings and recommendations receive the attention they deserve from the international community. Meeting these objectives could begin first at the UN Secretariat, where increased capacity will be required to support not just Panels, sanctions



tracking, and sanctions implementation, but also increased coordination between the UN's operational tools at headquarters and in the field. Second, the Security Council will need to clarify its objectives not just in implementing sanctions, but also for peacebuilding and building the rule of law in post-conflict states. Finally, with improved cooperation from member states, the United Nations will then be able to more effectively improve governance, strengthen justice and the rule of law, reduce corruption, and restore lasting peace in war-torn areas.



## — 1 —

**INTRODUCTION**

United Nations Panels of Experts are small, civilian, fact-finding teams appointed by the Security Council to monitor the effectiveness of the targeted sanctions it imposes on those who threaten peace in war-torn regions. The Security Council has increasingly tried to hinder these spoilers with limited sanctions—travel bans, assets freeze, and embargoes on trading arms, diamonds, and timber. In turn, the Council has also sent these investigative Panels to report on the implementation of those sanctions regimes in various regions, as well as to offer analysis on the nature of the conflicts, the exploitation of natural resources, and the grounds for lifting sanctions.

Indeed, the trade in arms and high-value natural resources has driven many regional and civil wars since the end of the Cold War. In Africa, conflicts have involved access to oil and diamonds in Angola; diamonds and timber in Côte d’Ivoire, Liberia, and Sierra Leone; cobalt, coltan, copper, diamonds, gold, and timber in the Democratic Republic of the Congo (DRC); and oil in Sudan. Belligerents in these regions not only fight over control and use of these commodities, but also use the funds from their sale to acquire weapons and to extend their political fortunes. The toll of these conflicts is horrible and well-known. During the civil war in Angola, one million people were killed and almost three million displaced.<sup>2</sup> Since 1998, more than 5.4 million people have died from war-related causes in the DRC.<sup>3</sup> Humanitarian groups report that 2.5 million people have been displaced in Darfur, Sudan since 2002.

Over the last decade, the international community has continued to seek better tools to encourage and support lasting peace. Global campaigns have aimed to limit human rights violations, provide humanitarian assistance, sponsor peace negotiations, strengthen adherence to peace settlements, and demand peacekeeping forces to support transitions from war to sustainable peace. But both traditional peacekeeping and humanitarian assistance have faltered when faced with spoilers who target civilian populations, have resources to fund their activities, and cannot be coerced by weak or faltering states with hobbled armies, police, and criminal justice systems.<sup>4</sup> Likewise, diplomatic strategies and political pressure have stumbled when confronting rogue states or non-state actors who see little to gain from political agreements negotiated by others.

**Targeted Sanctions**

The United Nations imposed comprehensive economic sanctions on Haiti, Iraq, and Yugoslavia in the early 1990s. These sanctions regimes were routinely criticized as ineffective in hindering those in power and difficult to enforce, and as a result, were blatantly violated. Worse, they were seen as sources of suffering among the civilian population and as causes of great damage to domestic and regional

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<sup>2</sup> International Crisis Group, “Dealing with Savimbi’s Ghost: The Security and Humanitarian Challenges in Angola,” Africa Report N. 68, 26 February 2003.

<sup>3</sup> Figures for fatalities in the DRC, Liberia, and Sudan come from the International Rescue Committee. For the most recent figures on the DRC, see International Rescue Committee, “Mortality in the Democratic Republic of the Congo: An Ongoing Crisis,” available at [www.theirc.org/resources/2007/2006-7\\_congomortalitysurvey.pdf](http://www.theirc.org/resources/2007/2006-7_congomortalitysurvey.pdf) (January 2008).

<sup>4</sup> Spoilers are often defined as those actors who deliberately undermine signed peace agreements, whether or not they are signatories. For this study, the term “spoilers” includes those who undermine the peace more broadly. See John Stephen Stedman, “Spoiler Problems in Peace Processes,” *International Security*, Vol. 22 (2) (Fall 1997).

economies.<sup>5</sup> Today, comprehensive economic sanctions are generally viewed as failures in meeting their aims.<sup>6</sup>

Given this record, the Security Council has begun imposing more targeted sanctions against the spoilers in a conflict. These sanctions aim to: stop hostilities; protect the sovereignty of member states; break the links between countries or groups that trade commodities for weapons; make it more difficult to use such resources to fund war; to sanction those responsible for fuelling conflict; sanction those who use children in armed conflict or otherwise target civilians; compel actors to change their behavior in the hopes of enforcing peace agreements; and to support peacebuilding efforts.<sup>7</sup>

By themselves, UN sanctions do not bring peace to war-torn zones. In Angola, oil and weapons embargoes imposed in 1993 were systematically violated and had, in fact, almost no effect on the rebel group UNITA.<sup>8</sup> Moreover, the Security Council realized that it did not know *how* the sanctions were being violated, making it impossible to identify or punish those who failed to meet their obligations under the Council's mandatory Chapter VII authorities.<sup>9</sup> In 1999, the Security Council therefore appointed a Panel of Experts to "collect information and investigate reports" concerning "the violations of the measures imposed against UNITA [and] to identify parties aiding and abetting the violations, to recommend measures to end such violations, and to improve the implementation of the above-mentioned measures."<sup>10</sup> Within months, the Panel produced an exhaustive report detailing UNITA's violations and offering recommendations for improving sanctions monitoring and implementation in Angola.<sup>11</sup>

The success of the Angola Panel of Experts led the Security Council to create expert Panels to investigate sanctions implementation in seven additional countries or areas: Côte d'Ivoire, the DRC, Liberia, Sierra Leone, Somalia, Sudan, as well as Al-Qaida and the Taliban. While the Security Council has imposed sanctions on other countries or entities—including Iran, North Korea, those responsible for the assassination of Lebanese Prime Minister Rafik Hariri, and members of the former Iraqi regime—those sanctions are not monitored by an expert Panel and are therefore not addressed in this report.

## OBJECTIVES, STUDY ORGANIZATION, AND LITERATURE REVIEW

This study focuses on the role of Panels in monitoring sanctions implementation, identifying spoiler networks, analyzing conflict areas, and providing recommendations to the Security Council and UN member states for addressing these challenges and promoting the rule of law in post-conflict states. The Panels play multiple roles: as data collectors and information specialists; as analysts of conflict dynamics and drivers; as assessors of government and UN efforts to address areas of conflict; and as advisors to the Security Council and member states on how to remedy sanctions violations. Panels

<sup>5</sup> Comprehensive sanctions prohibit trade with the targeted country. The Security Council, for example, imposed comprehensive sanctions on Iraq in August 1990 (Resolution 661) and on Haiti in May 1994 (Resolution 917).

<sup>6</sup> Some argue that sanctions on Iraq prevented Saddam Hussein from acquiring weapons of mass destruction. See George Lopez and David Cortright, "Containing Iraq: Sanctions Worked," *Foreign Affairs*, Vol. 83 (4), pp. 90-103 (2004).

<sup>7</sup> See for example: S/RES/1591 (2003), S/RES/1643 (2005), S/RES/1649 (2005), S/RES/1731 (2006), S/RES/1771 (2007), S/RES/1804 (2008), S/RES/1841 (2008), S/RES/1844 (2008), and S/RES/1857 (2008) which impose sanctions on Côte

d'Ivoire, the DRC, Liberia, Somalia, and Sudan.

<sup>8</sup> UNITA is known by its Portuguese acronym, the União Nacional para a Independência Total de Angola.

<sup>9</sup> Chapter VII authority refers to the UN Charter's ability to impose measures on those who threaten international peace and security. Measures imposed under Chapter VII must be enforced by member states.

<sup>10</sup> UN Security Council Resolution 1237, S/RES/1237, 7 May 1999.

<sup>11</sup> United Nations, *Report of the Panel of Experts on Angola*, S/1999/644, 4 June 1999.

uncover and offer information that can impact the Council's understanding of the situation in war-torn states, and thus, of UN-led activities in these regions. Panels also serve to keep issues before the Council, while raising questions about how the UN assesses field data and supports strategic analysis. Finally, Panels may also demonstrate the multiple and sometimes conflicting roles of the United Nations in post-conflict settings, such as simultaneously using UN offices to support mediation and peace negotiations, to aid displaced or war-weary populations, to lead peace operations, to support post-conflict peacebuilding, and to sanction individuals and entities in these areas.

Early on, the Panels of Experts on Sierra Leone recognized the key reason why its work was important:

The Panel was reminded of the background to its mandate, however, during its visits to Sierra Leone. There, thousands of civilians, many of them child victims of unspeakable brutality, face a future without hands or feet. Tens of thousands of Sierra Leoneans have lost their lives, half a million have become refugees and three or four times that number has been displaced. As the Panel concluded its report, much of Sierra Leone remained in rebel hands, where people lived without access to medical assistance, education, or the means to a secure livelihood. The Panel remained cognizant, throughout its work, of its role and its responsibility in helping to end the suffering of the people of Sierra Leone and this decade-long tragedy.<sup>12</sup>

The use of expert Panels to improve implementation of UN targeted sanctions raises key questions:

- What is the history of Panels and why is their work important for building the rule of law?
- How do Panels operate and what is their track record?
- What impact have they had on the implementation of targeted sanctions?
- What link exists between their findings and recommendations and other UN-led efforts to address states at risk?

**Part I** of this study is a narrative report on the role of Panels of Experts and their current challenges. It is divided into multiple sections. Following this introduction, **Chapter 2** reviews the history of Panels. **Chapter 3** examines Panel roles and the challenges they face from the time they are created, during their investigations, and in getting their recommendations implemented. **Chapter 4** discusses steps toward more effective sanctions implementation and examines how the information Panels report could be better used to implement sanctions and facilitate peacebuilding processes in war-torn states. **Chapter 5** provides a case study of the Panel of Experts on Liberia and how it contributed to peacebuilding in that country. Finally, **Chapter 6** concludes with recommendations for improving Panels and the implementing targeted sanctions and Panel findings, and looks at how to better harmonize these roles with UN efforts to support sustainable peace and the rule of law.

**Part II** of this study documents Panel findings and contains a series of charts laying out their recommendations from investigations in Côte d'Ivoire, the DRC, Liberia, Sierra Leone, Somalia, and Sudan. These charts demonstrate the breadth of recommendations made by the expert groups and the action taken by the Security Council in response. The charts also show the limited reporting on implementation of Panel recommendations by member states. (The charts for Liberia are appended to Part I, the narrative report; the other charts are available at Stimson's FOPO website: [www.stimson.org/fopo](http://www.stimson.org/fopo).)

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<sup>12</sup> United Nations, *Report of the Panel of Experts on Sierra Leone*, S/2000/1195, 19 December 2000, para. 64.

## Literature on Targeted Sanctions and Panels of Experts

Panels are part of a wider effort to improve UN sanctions implementation, yet they are not often the focus of analysis by governments, policymakers, and academics. In March 1998 and March 1999, Switzerland hosted the “Interlaken Process,” a series of meetings among governments, the private sector, the United Nations, and other international organizations to discuss targeted financial sanctions. The meetings culminated in the publication of a manual entitled *Targeted Financial Sanctions: A Manual for Design and Implementation*.<sup>13</sup> The Interlaken Process was followed by a second effort, initiated by Germany, called the “Bonn-Berlin Process,” which examined the imposition and implementation of arms embargoes, aviation sanctions, and travel bans. These discussions among experts, academic researchers, diplomats, practitioners, and nongovernmental organizations (NGOs) led to the formation of an Experts Working Group. In December 2000, reports on these two meetings were published as a single report, *Arms Embargoes and Travel and Aviation Related Sanctions: Results of the Bonn-Berlin Process*.<sup>14</sup> In October 2001, the reports from both the Interlaken and Bonn-Berlin Processes were submitted to the Security Council for consideration.

In 2002, Sweden initiated the Stockholm Process, focused on the implementation of targeted sanctions. It involved 120 experts and led to the publication of *Making Targeted Sanctions Effective: Guidelines for the Implementation of UN Policy Options*.<sup>15</sup> The report reviewed past efforts to analyze the limits to implementation of targeted sanctions, especially of the German, Swedish, and Swiss-led efforts. The Stockholm Report was one of the few to discuss Panels in detail and to offer recommendations for improving their use and efficiency. It devoted a substantial section to “The Role of the Expert Panels and Monitoring Mechanisms,” discussing how experts are selected, the challenges they face in preparing and conducting their investigations, and the evidence requirements for their reports. Additionally, the Stockholm Report discussed the need for Panel members to clearly understand their mandate, consult with various UN entities as much as possible, coordinate their work with other Panels, and ensure that the evidence used in reports can be substantiated.<sup>16</sup> The report also recommended that the Security Council consider including sanctions monitoring in peacekeeping mandates.<sup>17</sup>

In the academic community, numerous authors have examined the history of sanctions, the differences between comprehensive and targeted sanctions, and the need to improve their effectiveness. In *The Sanctions Decade: Assessing UN Strategies in the 1990s*, David Cortright and George Lopez examined the various sanctions regimes in place during the period and offered ways to improve their implementation and effectiveness.<sup>18</sup> In *Smart Sanctions: Targeting Economic Statecraft*, Cortright and Lopez analyzed targeted financial sanctions and their implementation.<sup>19</sup> The authors also studied the

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<sup>13</sup> Thomas J. Biersteker, Susan E. Eckert, and Peter Romaniuk, *Targeted Financial Sanctions: A Manual for Design and Implementation—Contributions from the Interlaken Process* (Providence, RI: Thomas J. Watson Institute for International Studies, 2001).

<sup>14</sup> *Ibid.*, pp. 17-18.

<sup>15</sup> *Ibid.*; Peter Wallensteen and Carina Staibano (eds.), *Making Targeted Sanctions Effective: Guidelines for the Implementation of UN Policy Options* (Uppsala: Uppsala University, Department of Peace and Conflict Research, 2003); and Mikael Eriksson, *Results from the Stockholm Process on the Implementation of Targeted Sanctions* (Uppsala: Uppsala University, Department of Peace and Conflict Research, 2003).

<sup>16</sup> Stockholm Process, paras. 66-88.

<sup>17</sup> Stockholm Process, paras. 39, 51.

<sup>18</sup> David Cortright and George Lopez, *The Sanctions Decade: Assessing Strategies in the 1990s* (Boulder, CO: Lynne Rienner Publishers, 2000).

<sup>19</sup> David Cortright and George Lopez, *Smart Sanctions: Targeting Economic Statecraft* (New York, NY: Rowman and Littlefield Publishers, 2002).

effectiveness of EU sanctions on the Former Republic of Yugoslavia in the 1990s, how to improve arms embargoes, and the effects of targeted sanctions on countries. Cortright and Lopez continued their study of UN sanctions in another volume, *Sanctions and the Search for Security: Challenges to UN Actions*, which included case studies of sanctions on Afghanistan, Angola, Iraq, and West Africa, including travel bans, assets freezes, and arms and diamonds embargoes.<sup>20</sup>

Thomas Biersteker and Susan Eckert of Brown University's Watson Institute argued in *Strengthening Targeted Sanctions through Fair and Clear Procedures* that sanctions will be more effective if the targeted individuals and corporations understand *why* they are targeted, if the process by which they are named is transparent, and if there are clear mechanisms to be removed from sanctions lists.<sup>21</sup> On its website, Watson's Targeted Sanctions project provides a database, a bibliography of the literature on targeted sanctions, and model resolution language.<sup>22</sup> Finally, in *International Sanctions: Between Words and Wars in the Global System*, Peter Wallensteen and Carina Staibano examined new trends in sanctions and the capacity to implement them. The study explored options for improving implementation, including increasing UN capacity and simplifying legal procedures, and provided case studies on the effectiveness of travel bans and the role of international and regional organizations in implementing sanctions.<sup>23</sup>

Most of these studies, however, make limited reference to Panels and their role, work, and potential as a peacebuilding tool. If they mention Panels at all, they only briefly discuss them and focus on sanctions.<sup>24</sup> In fact, only two journal articles are devoted only to Panels, their work, and the challenges they face.<sup>25</sup> Even within the UN system, the only assessment of Panels was published by the Office of Internal Oversight Services (OIOS) in March 2007.<sup>26</sup> Importantly, in April 2008, the UN Secretary-General released a report on small arms which did acknowledge the role of Panels of Experts in stemming the conflict-fueling commodity and offered a set of timely recommendations to strengthen

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<sup>20</sup> David Cortright and George Lopez, *Sanctions and the Search for Security: Challenges to UN Action* (Boulder, CO: Lynne Rienner Publishers, 2002).

<sup>21</sup> Thomas J. Biersteker and Susan E. Eckert, *Strengthening Targeted Sanctions through Fair and Clear Procedures*, White Paper, Watson Institute Targeted Sanctions Project (Providence, RI: Brown University, 30 March 2006).

<sup>22</sup> See [www.watsoninstitute.org/tfs/CD/index.html](http://www.watsoninstitute.org/tfs/CD/index.html).

<sup>23</sup> Peter Wallensteen and Carina Staibano, *International Sanctions: Between Words and Wars in the Global System* (London and New York: Frank Cass, 2005).

<sup>24</sup> For example, a 2005 article discussed the need to improve monitoring of targeted sanctions and their impact, but did not recognize that the Liberia Panel was mandated to assess the socioeconomic impact of sanctions for the prior two years. See Robin Geiss, "Humanitarian Safeguards in Economic Sanctions Regimes: A Call for Automatic Suspension Clauses, Periodic Monitoring, and Follow-Up Assessments of Long-Term Effects," *Harvard Human Rights Journal*, Vol. 18, pp.165-200 (2005).

<sup>25</sup> Alex Vines, "Monitoring UN Sanctions in Africa: the Role of Panels of Experts," in Trevor Findlay (ed.), *Verification Yearbook 2003* (London: VERTIC, 2003); and Martin Rupyia, "Panel of Experts: A Peacebuilding Tool," Institute of Security Studies, September 2005. Also see a 2005 Stimson paper discussion on Panels and their role: Katherine N. Andrews with Tobias C. Berkman, "United Nations Mechanisms for Combating Illegal Trade in Regions of Conflict," Background (Washington, DC: Henry L. Stimson Center, June 2005). In 2007, Alex Vines discussed the Panel role in implementing arms embargoes. See Alex Vines, "Can UN arms embargoes in Africa be effective?," *International Affairs* 83 (6), pp. 1107-1122 (2007). Finally, Eric Rosand also examined the Monitoring Group on Al-Qaida and the Taliban in "The Security Council's Efforts to Monitor the Implementation of Al-Qaida/Taliban Sanctions," *American Journal of International Law*, Vol. 98 (4), pp. 745-763 (2004).

<sup>26</sup> United Nations Office of Internal Oversight Services, Committee for Program and Coordination 47th Session, 11 June-6 July 2007, *Report of the Office of Internal Oversight Services on the In-Depth Evaluation of Political Affairs: Security Council Affairs*, E/AC.51/2007/2/Add.2, 29 March 2007.

Panels, their cooperation and coordination with other UN peacekeeping and other efforts, and the importance of addressing spoilers with these types of tools.<sup>27</sup>

## Report Methodology

This report therefore relies on various direct sources, including interviews and analysis of Panel reports. First, the authors analyzed all of the ongoing Panels' reports to date. Second, the FOPO team met with UN Panel members, including experts from the Angola, Côte d'Ivoire, DRC, Liberia, Sierra Leone, Somalia, and Sudan Panels. Additionally, the authors interviewed officials from the UN Department of Political Affairs (DPA), the Department of Peacekeeping Operations (DPKO), the Office of Legal Affairs (OLA), and the Office of Internal Oversight Services (OIOS). The authors also spoke with officials from the African Union (AU), the Economic Community of West African States (ECOWAS), the European Union (EU), the US government (in particular the State Department's International Organizations Bureau and the Department of Treasury's Office of Foreign Assets Control), the Canadian government, Interpol, and the Permanent Missions of Liberia, Sierra Leone, and the United Kingdom. The authors also participated in various roundtables and conferences on the subject, including a May 2006 Royal Institute of International Affairs (Chatham House) conference devoted to Panels and targeted sanctions, a November 2007 workshop hosted by the International Peace Institute and the Geneva Center for Security Policy, and a December 2008 meeting on targeted sanctions at the Canadian Permanent Mission to the United Nations.

This report also draws on five roundtables organized by Stimson's FOPO program focused on the role of UN targeted sanctions and the Panels, as well as on a journal article and an issue brief written by the authors.<sup>28</sup> FOPO organized a viewing of the Frontline film *Gunrunners*, followed by a discussion with then Sierra Leone Panel member Johan Peleman, in cooperation with the Africa Subcommittee, House International Relations Committee. The team also hosted Ambassador Curtis Ward on UN counterterrorism efforts; Douglas Farah and Alex Yearsley to discuss the role of Panels in tracking commodity trafficking and sanctions implementation; Kathi Austin, a former member of the Group of Experts on the DRC, to discuss her experience; and Alex Vines, a former member of the Panel on Liberia and former Chair of the Panel on Côte d'Ivoire, who highlighted Panel findings and the challenges they faced in conducting their investigations.

The study aims to provide additional information and analysis to the literature and discussion about the role of Panels of Experts and their utility in monitoring targeted sanctions, as well as to offer useful recommendations for more effective peacebuilding and building the rule of law.

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<sup>27</sup> United Nations, *Small Arms, Report of the Secretary-General*, S/2008/258, 17 April 2008, paras. 15-16, 41-48, and Recommendations 4 and 5.

<sup>28</sup> Victoria K. Holt and Alix J. Boucher, "Framing the Issue: UN Responses to Corruption and Criminal Networks in Post-Conflict Settings," *International Peacekeeping*, January 2009; Alix J. Boucher and Victoria K. Holt, "Tracking Bad Guys, Small Arms, and Illicit Trade: The Role of UN Panels of Experts," Stimson Issue Brief, July 2007.



## — 2 —

**PANELS OF EXPERTS: HISTORY**

*FARDC [the Congolese Armed Forces] itself is heavily involved in the minerals trade, typified by [the] 85th brigade's control of [the] Bisie mine. The Group believes that it is not in the interest of certain FARDC commanders to end the conflict in eastern Democratic Republic of the Congo as long as their units are able to deploy to, and profit from, mining areas. Preventing illegal exploitation of minerals is inextricably linked to security sector reform, given the deeply rooted corruption and divided loyalties within FARDC that lends itself to deal-making with non-State armed groups.* – United Nations, *Report of the Group of Experts on the Democratic Republic of the Congo*, 12 December 2008.<sup>29</sup>

The Security Council first used a Panel-type mechanism in 1995 to monitor violations of the arms embargo it had imposed on Rwanda the previous year.<sup>30</sup> Since then, the Council has established Panels of Experts to accompany UN targeted sanctions regimes eight times. By late 2008, the United Nations had six active Panels. The United Nations had appointed a Panel of Experts in conjunction with all targeted sanctions regimes except for the arms embargo imposed on Eritrea and Ethiopia in 2000 (terminated in 2001), the sanctions imposed following the assassination of Rafik Hariri, the sanctions imposed on North Korea and Iran to prevent their acquisition of nuclear weapon technology, and the sanctions on former members of the Iraqi regime.<sup>31</sup> This section examines the history and development of Panel mechanisms since the 1990s.

**ORIGINS OF THE USE OF PANELS****Rwanda**

In May 1994, the Security Council imposed an arms embargo on Rwanda because the UN peace operation in the country (UNAMIR) was overwhelmed by the genocide.<sup>32</sup> In August 1995, the Council lifted sanctions on the new Rwandan government but maintained them on the rebel forces.<sup>33</sup> In September 1995, the Security Council established the UN Commission of Inquiry on Rwanda (ICOI) to investigate suspected weapons deliveries to the former government forces and the illegal training they had reportedly received. The Council asked ICOI to identify the weapons providers and to recommend ways to stem their continued flow into Rwanda.

The Commission established a pattern—and some common challenges—for Panels today. First, the team was small, with only four experts. Its mandate was for a short six months. Panel members had little time to make contacts and travel arrangements. As a result, some Commission contacts dried up and

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<sup>29</sup> United Nations, *Report of the Group of Experts on the Democratic Republic of the Congo*, S/2008/773, 12 December 2008, para. 135. While the Council has alternatively appointed Panels of Experts, Groups of Experts, and Monitoring Mechanisms, these nomenclature differences do not reflect differences in structure. The report therefore uses the term “Panel” to describe all of these entities. If a Panel’s formal name is “Group” or “Mechanism,” the text may use that term.

<sup>30</sup> The International Commission of Inquiry on Rwanda (ICOI) was structured like a Panel, but with a much shorter mandate. Current Panels are modeled much like the 1999 Panel created to monitor sanctions on UNITA.

<sup>31</sup> The Security Council imposed sanctions on North Korea with Resolution 1718 of 14 October 2006, which included measures targeted at its leadership. For information on UN sanctions regimes, see [www.un.org/sc/committees](http://www.un.org/sc/committees).

<sup>32</sup> UN Security Council Resolution 918, S/RES/918, 17 May 1994. The resolution also called for the violence to end.

<sup>33</sup> UN Security Council Resolution 1011, S/RES/1011, 16 August 1995. The embargo included a ban on providing military training to the former government forces.

information became out of date. The Commission's mandate was renewed in April 1998, and was given a six-month mandate to collect information and investigate reports on the sale, supply, and shipment of arms and related materiel to militias and former Rwandan government forces operating mostly in Zaire/DRC.<sup>34</sup> The Council also modified the Commission's mandate to include making recommendations that addressed the entire Great Lakes region. Second, the Panel faced an evolving political situation in the Great Lakes in 1998 that made it dangerous to travel to certain areas. Funding shortfalls created difficulty, as the Commission could not travel until pledged funds were in the relevant account. Finally, the Panel did not get full cooperation. Some governments, while not openly refusing to cooperate with the Panel, said the relevant officials were too busy to meet with the UN investigators.<sup>35</sup>

The Commission's final report was so controversial that the Security Council initially declined to publish it. The report was released only after its findings were leaked.<sup>36</sup> Nonetheless, the Commission's work had an impact as it detailed how weapons were illegally sent to Rwanda and Zaire/DRC, and the Council used it as the basis for structuring future Panels.

## Angola

In 1993, the Security Council had imposed a weapons and petroleum products embargo on the Angolan rebel group, UNITA, prohibiting member states from trading these commodities with the group.<sup>37</sup> In 1997, the Council imposed a travel ban on UNITA officials, as well as a ban on any aircraft traveling to and from UNITA-held territory.<sup>38</sup> Finally, in 1998, the Council imposed a diamonds embargo on UNITA.<sup>39</sup> UNITA, however, continued its activities despite the sanctions. To determine why the sanctions were not effective, the "first" formal Panel of Experts, a model for those used today, was assembled under the leadership of the Canadian Permanent Representative to the United Nations, Ambassador Robert Fowler. With Canada serving on the Security Council, Ambassador Fowler became the new Chair of the Angola Sanctions Committee in January 1999. Fowler played a unique and dynamic role, using his position to convince the other members of the Council to appoint a Panel of Experts in May 1999.<sup>40</sup>

Fowler's team produced several reports after traveling throughout Angola and the region and tracking sanctions violations. In June and July 1999, the Panel offered 19 recommendations for improving sanctions implementation in Angola. In March 2000, the Panel issued a hard-hitting report, which immediately became known as the "Fowler Report." The Panel bluntly related its findings, "naming and shaming" those responsible for undermining the sanctions.<sup>41</sup> Concerning weapons, for example, the report detailed the roles of Burkina Faso, Congo-Brazzaville, Rwanda, South Africa, Togo, and

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<sup>34</sup> UN Security Council Resolution 1161, S/RES/1161, 9 April 1998; Eric Berman, "Sanctions against Genocidaires: Experiences of the 1998 UN International Commission of Inquiry," p. 7. The name of the country changed during this period from Zaire to DRC, the study uses DRC for the period beginning with Laurent Kabila's presidency. The study uses Zaire/DRC for events that occurred over both Mobutu's and Kabila's presidencies.

<sup>35</sup> *Ibid.*, pp. 7-8.

<sup>36</sup> United Nations, *Report of the International Commission on Inquiry*, S/1997/1010, 24 December 1997. In addition, see Berman, "Lessons and Observations from the Field," p. 39.

<sup>37</sup> UN Security Council Resolution 864, S/RES/864, 15 September 1993.

<sup>38</sup> UN Security Council Resolution 1127, S/RES/1127, 28 August 1997.

<sup>39</sup> UN Security Council Resolution 1173, S/RES/1173, 12 June 1998.

<sup>40</sup> Ambassador Fowler was partially motivated by the shooting down of two UN aircraft in late 1998 and early 1999 which killed 15 passengers and 9 crew members. UNITA was suspected of downing the aircraft in retaliation for the sanctions imposition. See Vines 2003, *op. cit.*, p. 250; S/RES/1237 (1999).

<sup>41</sup> United Nations, *Final Report of the Panel of Experts on Angola*, S/2000/203, 10 March 2000 ("The Fowler Report").

Zaire/DRC. It described how most weapons were purchased in Eastern Europe and flown to UNITA-held territory through various countries. The report pointed out that both Burkina Faso and Togo refused to allow the Panel members to visit their main airports to ascertain their role in weapons smuggling.<sup>42</sup>

The Panel also reported how UNITA worked with Rwanda to topple President Mobutu Sese Seko of then Zaire. UNITA, for instance, sent a “battery of UNITA anti-aircraft (SAM-16) to aid Rwandan backed rebels in the DRC.” According to the report, Rwanda helped UNITA by introducing the group to the internationally-known arms dealer Victor Bout.<sup>43</sup> The Panel reported that there was “significant complicity by Zambian nationals,” but was unable to gather enough evidence to determine whether this aid was actually endorsed by Zambian authorities.<sup>44</sup>

For the first time, a UN group publicly blamed sitting presidents of member states for their role in fueling conflict. The Fowler Report described how UNITA illegally exported diamonds and petroleum with the help of then presidents Mobutu of Zaire, Pascal Lissouba of Congo-Brazzaville, and Blaise Campaoré of Burkina Faso.<sup>45</sup> The report authors were accused of bias for only identifying heads of francophone countries as contributors to the conflict.

Much like what followed the release of the final Rwanda report, the Fowler Report stirred up major media attention, and a diplomatic crisis ensued. With the end of Canada’s term on the Security Council, Ambassador Fowler was replaced as Chair of the Sanctions Committee. The Council substituted the Panel with a “Monitoring Mechanism” to investigate violations of the arms embargo, and the petroleum, travel, financial and diamond sanctions on UNITA. The Mechanism focused just on UNITA’s sanctions-busting activities, as per the Panel’s mandate, not on the Angolan government’s behavior. The Mechanism was dissolved after the 2002 death of UNITA’s leader, Jonas Savimbi, and the implementation of a new peace agreement.<sup>46</sup>

Initially, Council members were reluctant to create new Panels to monitor sanctions. While concerned about naming national leaders and diplomatic outcry, the Council still desired information about sanctions violations. The Fowler Report and the Angola Panel offered some lessons, demonstrating how focused and well-publicized reports could garner international attention.

## MODERN PANELS OF EXPERTS

Starting in 2000, the Security Council again turned to expert Panels to monitor targeted sanctions implementation, particularly in Africa.<sup>47</sup> Thus, it established Panels to shed light on how sanctions were failing and on the actors responsible in Côte d’Ivoire, the DRC, Liberia, Sierra Leone, Sudan, and Somalia, and for Al-Qaida and the Taliban.

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<sup>42</sup> Ibid., para. 21.

<sup>43</sup> Ibid., para. 26. In part because of panel reporting, Bout is infamous for his weapons trafficking. See Moisés Naím, “The Five Wars of Globalization,” *Foreign Policy*, January-February 2003, 29-37; Douglas Farah and Stephen Braun, *Merchant of Death: Money, Guns, Plans, and the Man Who Makes War Possible* (Hoboken, NJ: John Wiley & Sons, 2007).

<sup>44</sup> S/2000/203, para. 69.

<sup>45</sup> Ibid., paras. 100-103.

<sup>46</sup> Vines 2003, op. cit., pp. 250-252.

<sup>47</sup> Ibid., pp. 250-253.

## Sierra Leone

To stem the ongoing civil war, UN peacekeepers arrived in Sierra Leone in 1998 and remained until 2005. Three years after the imposition of an arms embargo on Sierra Leone in 1997, the Security Council approved an embargo on Sierra Leonean diamonds in 2000 and mandated the creation of a Panel of Experts on Sierra Leone to monitor those sanctions.<sup>48</sup>

The Panel reported that Liberian President Charles Taylor was largely responsible for the continuing war in Sierra Leone. Their findings urged the Security Council to reinforce the arms embargo on Liberia and impose additional sanctions, including a travel ban, assets freeze, and diamond and timber embargoes.<sup>49</sup> The Panel also highlighted how the rebel Revolutionary United Front (RUF) used diamonds to fund the war and forced Sierra Leoneans into diamond mining.<sup>50</sup> Control over diamonds, the Panel reported, further caused rifts among various RUF factions. In fact, some RUF leaders had been forced into exile in Liberia over allegations that they had used diamonds for personal purposes. The Panel's report detailed how the RUF exported diamonds, mostly through Gambia, Guinea, and Liberia. It highlighted the growth in Gambian diamond exports, despite the fact that Gambia has no diamond deposits of its own. Despite assertions to the contrary, the Panel stated that Liberian authorities were fully aware of (and benefited from) the illegal transit of Sierra Leonean diamonds through their country.<sup>51</sup>

The Panel also reported on how Taylor helped violate the arms embargo on Sierra Leone. Although Taylor denied providing both weapons and training to RUF forces, the Panel interviewed numerous RUF leadership and combatants who confirmed Liberia's role.<sup>52</sup> The Panel found that "virtually all of the weapons shipped into RUF territory are trans-shipped through at least two other countries," and that Liberia was always one of them.<sup>53</sup>

With these findings and the end of the conflict in Sierra Leone, and the Panel's recommendation to fully investigate Liberia's role in violating the sanctions on Sierra Leone, the Security Council disbanded the Panel on Sierra Leone and replaced it with the Panel of Experts on Liberia. In 2001, the Council began adopting and implementing the Panel's recommendations to impose new sanctions on Liberia and directed the Panel to monitor them effectively.

## Liberia<sup>54</sup>

In 2001, the Security Council strengthened the weapons embargo on Liberia and mandated the creation of a Panel of Experts to monitor its implementation.<sup>55</sup> In 2003, after the departure of Charles Taylor, the United Nations deployed a peacekeeping force to Liberia, UNMIL (the UN Mission in Liberia). Since then, the Panel's mandate has been renewed 14 times and issued 17 reports, making it the longest running active Panel. The Panel has closely studied sanctions violations in Liberia, recommended

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<sup>48</sup> UN Security Council Resolution 1306, S/RES/1306, 5 July 2000.

<sup>49</sup> United Nations, *Report of the Panels of Experts to Sierra Leone*, S/2000/1195, December 2000.

<sup>50</sup> The Panel explained that the RUF had modified its exploitation: Sierra Leoneans now made two piles of diamonds at work, one for the RUF and one for themselves. All big diamonds went to the RUF, however. See United Nations, S/2000/1195, para. 69.

<sup>51</sup> *Ibid.*, paras. 81-89.

<sup>52</sup> *Ibid.*, paras. 180-185.

<sup>53</sup> *Ibid.*, para. 202.

<sup>54</sup> The Panel's findings and work are examined more closely in Chapter 5.

<sup>55</sup> The United Nations first imposed an arms embargo on Liberia in 1992 with UN Security Council Resolution 788, S/RES/788, 19 November 1992. Resolution 1343 (2001) renewed and redefined the scope of the embargo.

numerous improvements for their monitoring and enforcement, and called for UN embargoes on diamond and timber exports, which were imposed. The Panel is set to work until 20 December 2009.<sup>56</sup>

The Panel on Liberia was the first assigned to examine the socioeconomic impact of sanctions on Liberians. The Panel also worked, as requested by the Council, to recommend ways to help Liberia meet conditions set for lifting the UN sanctions. The Panel therefore examined whether Liberian institutions, particularly the ministries tasked with managing the country's natural resources, had sufficient mechanisms to prevent government revenues from being used other than to benefit all of the Liberian people. Such improved management procedures were the main conditions set by the Council to determine whether sanctions could be lifted.

In 2005, Liberia successfully elected a new President, Ellen Johnson-Sirleaf. By early 2006, the new government had partially implemented the Liberia Panel's recommendations on reforming the diamond and timber sectors, as well as on the country's financial management mechanisms. In June 2006, the Council decided not to renew sanctions on Liberian timber. In April 2007, the Council found Liberia had made sufficient progress toward joining the Kimberley Process Certification Scheme (KPCS) and lifted the trade embargo on Liberian diamonds.<sup>57</sup> In June 2007, the Council appointed a new three-member Panel to monitor Liberia's progress in complying with the KPCS and in fully implementing its forestry law, and to address steps Liberia's neighbors could take to improve their own capacity to implement the sanctions. In addition, the Panel was directed to continue to monitor the arms embargo, travel ban, and assets freeze. Since then, Liberia has continued to make progress in its management of the diamond and timber sectors. Additionally, while minor violations of the arms embargo have occurred, the Panel continues to monitor those sanctions, along with the continuing assets freeze and travel ban.<sup>58</sup>

## Côte d'Ivoire

The Security Council established the Group of Experts on Côte d'Ivoire in 2005.<sup>59</sup> The Group followed the deployment of the UN peace operation in Côte d'Ivoire (UNOCI) in 2003. In 2004, the Security Council imposed an arms embargo, travel ban, and assets freeze on Côte d'Ivoire, followed in 2005 by the imposition of a diamonds embargo.<sup>60</sup> The Group of Expert's mandate—to monitor the implementation of the sanctions—has been renewed five times, most recently through 31 October 2009.<sup>61</sup>

In its reports, the Group described both the political and security situation in the country, as well as violations of the arms and diamonds embargoes. The Group reported on how it was working with other UN Panels, in particular the Liberia Panel, as well as cooperating with the UN peacekeeping mission, UNOCI, and other international organizations.

<sup>56</sup> UN Security Council Resolution 1854, S/RES/1854, 19 December 2008.

<sup>57</sup> UN Security Council Resolution 1753, S/RES/1753, 27 April 2007. The Kimberley Process (KPCS), an international initiative to regulate diamond trading and prevent trade in conflict diamonds, was created in 2003. It now has 48 member states. For more, see [www.kimberleyprocess.com](http://www.kimberleyprocess.com).

<sup>58</sup> United Nations, *Report of the Panel of Experts on Liberia*, S/2008/785, 17 December 2008.

<sup>59</sup> UN Security Council Resolution 1584, S/RES/1584, 1 February 2005.

<sup>60</sup> UN Security Council Resolution 1752, S/RES/1572, 15 November 2004 and UN Security Council Resolution 1643, S/RES/1643, 15 December 2005.

<sup>61</sup> UN Security Council Resolution 1842, S/RES/1842, 29 October 2008.

The Group's findings painted a tough picture for reducing the number of armed fighters in that country as well as violations of the arms and diamonds embargoes and the assets freeze. The Group concluded that only two instances of recruitment of Liberians were credible and that they represented small numbers of Liberian fighters. For example, the Group interviewed one Liberian who had been offered US\$250 a month to join the then anti-government rebel Forces Nouvelles de Côte d'Ivoire (FN) in November 2005. Two months later, he was offered US\$350 to cross into Liberia to recruit soldiers. In an interview with the Panel in August 2006, FN political leader Guillaume Soro denied that the rebel force was recruiting in Liberia, adding that all Liberians had been expelled from FN ranks in 2003.<sup>62</sup> On the other side, the Expert Group found that the Ivorian government received foreign training and technical assistance, in particular for the maintenance of its helicopters. The Group believed the assistance, coming mostly from Belarus, to be in violation of the arms embargo.<sup>63</sup>

The Group also investigated diamonds embargo violations, and traveled to Brazil and Ghana to study their role in the diamonds trade. The Group was unable to state that Brazil and Ghana were being used to funnel Ivorian diamonds, but found that insufficient internal controls in all three countries would make such trafficking relatively easy.<sup>64</sup> In September 2006, the Group described the volatile situation in Côte d'Ivoire, the delay in the disarmament, demobilization, and reintegration (DDR) process, and the instances of suspected sanctions violations.

In October 2007, the Group described its continuing investigations of potential embargo violations. It had ongoing concerns with the efficiency of the DDR process, noting at least two instances in which weapons marked for destruction were not destroyed but put back into circulation.<sup>65</sup> The experts also continued to assess the role of cocoa and coffee production in funding the FN and to survey diamond mining in the country.

In October 2008, the Group of Experts reported on the movement of weapons and ammunition, particularly in the western region of Côte d'Ivoire. It found that weapons were flowing relatively easily not just within the country, but also with Côte d'Ivoire neighbors in areas controlled by the Forces Nouvelles. The Group cited violations of the sanctions on the export of Ivorian rough diamonds and the assets freeze by two of the three sanctioned individuals. The report pointed to the absence of any effective redeployment of government administration in the zone under the administration of the FN. As a result, the Group explained, the government was unable to collect revenue effectively in those areas.

Concerning the arms embargo, the Group of Experts discussed several impediments to the effectiveness of the sanctions. First, the group explained how customs inspections at entry points are not properly conducted. Second, the Group highlighted that UNOCI does not conduct effective inspections. Finally, the Ivorian authorities routinely fail to comply with the requirements of the embargo and fail to cooperate with both the Group and UNOCI.<sup>66</sup>

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<sup>62</sup> United Nations, *Report of the Group of Experts on Côte d'Ivoire*, S/2006/735, 5 October 2006, paras. 59-60.

<sup>63</sup> *Ibid.*, paras. 70-90.

<sup>64</sup> *Ibid.*, paras. 150-170.

<sup>65</sup> United Nations, *Report of the Group of Experts on Côte d'Ivoire*, S/2007/611, 17 October 2007, paras. 24-27.

<sup>66</sup> United Nations, *Report of the Group of Experts on Côte d'Ivoire*, S/2008/598, 9 October 2008.

## Democratic Republic of the Congo

The history of monitoring the illegal exploitation of natural resources, and related sanctions, is especially complicated in the DRC. In the DRC, UN observers were first deployed in late 1999 after the negotiation of a peace agreement.<sup>67</sup> In early 2000, the Security Council authorized deployment of 5,000 peacekeepers. Since then, MONUC (the mission's French acronym for Mission des Nations Unies en République Démocratique du Congo) has grown to a force of over 18,000, the largest deployed UN peacekeeping mission as of December 2008.<sup>68</sup>

The current Group of Experts was preceded by a specialized and unique team, the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth, created in 2000. That Panel was not charged with monitoring UN targeted sanctions, however, since none had been imposed by the Council. Instead, it was set up under a Security Council Presidential Statement to examine how the illegal use of the country's resources contributed to the massive, multi-party war centered in the DRC.<sup>69</sup> The Panel was administered by the DPKO, rather than the DPA.<sup>70</sup> That Panel—sometimes known as the Kassem Panel after its second Chairman, Mahmoud Kassem—monitored the trafficking of diamonds, timber, and of other valuable resources (such as coltan), and their trade for weapons. Two Security Council Presidential Statements continued the Panel's mandate in 2001.<sup>71</sup> In 2003, the Council renewed the Panel's mandate, leading to the publication of two reports which extensively documented how both government and private actors pillaged the DRC's resources to fund war:

Between September 1998 and August 1999, occupied zones of the DRC were drained of existing stockpiles, including minerals, agricultural and forest products and livestock. Regardless of the looter, the pattern was the same: Burundian, Rwandan, Ugandan, and/or RCD soldiers, commanded by an officer, visited farms, storage facilities, factories and banks, and demanded that the managers open the coffers and doors. The soldiers were then ordered to remove the relevant products and load them into vehicles.<sup>72</sup>

The Kassem Panel reported many such instances. From late 1998 until April 1999, for example, the Panel later found that Rwandan forces reportedly removed and transported to Kigali between 2,000 and 3,000 tons of cassiterite and between 1,000 and 1,500 tons of coltan.<sup>73</sup> This trade represented a seven-year stock for one company in Kivu.<sup>74</sup> The Panel also reported that “the financial sector was not left untouched either. A defector from the rebel group Rassemblement Congolais pour la Démocratie (RCD)

<sup>67</sup> The terms of the 1999 Lusaka cease fire can be found at [www.usip.org/library/pa/drc/drc\\_07101999.html#Preamble](http://www.usip.org/library/pa/drc/drc_07101999.html#Preamble).

<sup>68</sup> If it fully deploys at its authorized level, the African Union-United Nations hybrid operation in Darfur, UNAMID, will be the largest peace operation at 26,000 personnel.

<sup>69</sup> UN Security Council, *Presidential Statement*, S/PRST/2000/20, 2 June 2000. Presidential Statements are non-binding, approved by consensus, and intended to apply political pressures, express the Council's opinion, and request information to aid the Council in its work.

<sup>70</sup> Author interview, DPA official, 31 January 2007.

<sup>71</sup> UN Security Council Resolution 1457, S/RES/1457, 24 January 2003; UN Security Council Resolution 1493, S/RES/1493, 28 July 2003. There were several gaps between Panel mandates: between October 2002 and early 2003, and between October 2003 and early 2004. See, UN Security Council, *Presidential Statement*, S/PRST/2001/39, 19 December 2001; and UN Security Council, *Presidential Statement*, S/PRST/2003/21, 19 November 2003.

<sup>72</sup> United Nations, *Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo*, S/2001/357, 12 April 2001, para. 32. The Rassemblement Congolais pour la Démocratie (RCD) is a rebel coalition created in 1998 to overthrow then-DRC President Laurent Kabila.

<sup>73</sup> Cassiterite and coltan are minerals that can be used as capacitors, or electrical devices that store energy and can be used to power electronic equipment such as cell phone and computer chips. Global Witness points out that cassiterite exports in the DRC increased in value from US\$9 to US\$46 million between 2003 and 2004. For more on coltan, cassiterite, and the impact of their mining in the DRC, see Global Witness, *Under-Mining Peace*, June 2005, p. 28.

<sup>74</sup> S/2001/357, para. 32.

who participated in some looting told the Panel that Rwandan soldiers systematically targeted local banks as soon as they conquered a town.”<sup>75</sup>

In the mining sector, looting took place in three main ways: soldiers acting on their own behalf; locals working (or rather being exploited) by Rwandan and Ugandan commanders; and foreign nationals working for the benefit of the relevant military forces.<sup>76</sup> In one mining district, Ugandan and local soldiers charged the local population entry and exit fees for the right to mine. They extorted one gram of gold from each person each day. In that area, the 2,000 miners helped to collect some two kilograms of gold each day.<sup>77</sup>

One of the most interesting parts of the Panel’s initial 2001 report was its analysis of the gap between the domestic production and the export of resources by neighboring countries known to exploit the DRC’s mineral wealth. The Central Bank of Uganda, for instance, reported to the International Monetary Fund (IMF) that the increase in its gold exports from US\$23 million in 1995 and US\$63 million in 1996 to US\$105 million in 1997 was probably caused by “leaking over the border.”<sup>78</sup> The fact that Uganda also began to export diamonds over that period is particularly suspicious: Uganda has no diamonds of its own and this sudden appearance of exports “coincides surprisingly with the occupation of the eastern DRC.”<sup>79</sup>

Based on its findings, the Kassem Panel recommended that the United Nations impose sanctions, including a weapons embargo on the entire DRC, and a travel ban and assets freeze on those identified as contributing to conflict in the country. The Council imposed such an arms embargo on all foreign and Congolese armed groups and militias operating in the eastern DRC (Ituri, and North and South Kivu) in July 2003.<sup>80</sup>

In 2004, the Council created a Sanctions Committee (SACO) and a *new* four-member Group of Experts with a mandate to analyze information MONUC had gathered and to recommend ways in which sanctions could be implemented, and if necessary, expanded.<sup>81</sup> By 2005, the Council had extended the weapons embargo to the entire DRC and renewed the Group of Experts’ mandate for another year.<sup>82</sup> By the same resolution the Council imposed a travel ban and assets freeze on Congolese and foreign leaders deemed responsible for the continuing conflict.<sup>83</sup> It also asked the Group to monitor the widespread improper use of aircraft in the DRC to trade natural resources, traffic weapons, and unsafely transport passengers. It then tasked the Group of Experts with monitoring these sanctions. Earlier, in 2004, the Council had also asked MONUC to help monitor the arms embargo.<sup>84</sup>

In April 2005, the Council lifted the weapons embargo on integrated DRC army and police units (except those located in the conflict-ridden eastern regions of Ituri and the Kivus). It also directed the Group to

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<sup>75</sup> *Ibid.*, para. 37.

<sup>76</sup> *Ibid.*, para. 56.

<sup>77</sup> *Ibid.*, para. 59.

<sup>78</sup> *Ibid.*, para. 97.

<sup>79</sup> *Ibid.*, para. 98 and Table 2 (para. 99). Uganda began exporting a limited amount of diamonds (about US\$200,000 worth) in 1997. The next year, however, Uganda exported about US\$1.5 million in diamonds; in 1999, another US\$2 million.

<sup>80</sup> S/2001/357, paras. 222-224.

<sup>81</sup> UN Security Council Resolution 1533, S/RES/1533, 12 March 2004.

<sup>82</sup> UN Security Council Resolution 1596, S/RES/1596, 18 April 2005.

<sup>83</sup> *Ibid.*

<sup>84</sup> S/RES/1533 (2004).



include recommendations for possibly extending the travel ban, assets freeze, and civil aviation sanctions on suspected individual or corporate sanctions violators.<sup>85</sup> Since then, the Group's mandate has been renewed nine times, through November 2009.<sup>86</sup>

With this revised mandate, the Group looked less at the pillaging of resources and more at how these resources played a role in purchasing weapons. It found that porous borders, inadequate air traffic control, and irregular aircraft practices all supported weapons trafficking: rebels controlled borders and allowed weapons through; companies did not properly register aircraft or use full itineraries; and, traders used many illegal (and dangerous) airstrips to deliver overloaded, insufficiently maintained, and dangerous aircraft. According to Global Witness, the Group's first report was so controversial that it was modified to focus less on the exploitation of natural resources and more on the processes behind weapons embargo violations.<sup>87</sup>

In July 2006, the Group reported that weapons in the DRC were "neither inventoried, correctly identified, nor marked in such a way as to facilitate their management."<sup>88</sup> While the Group's mandate remained focused on the arms embargo, the Group also provided examples of how the DRC's resources continued to be exploited by former belligerents. For example, the Group analyzed Rwandan and Ugandan exports of precious goods. The Group reported that the source of Ugandan gold exports remained unknown. Indeed, the Group found no records indicating that Uganda was either legally importing or mining any significant amounts of gold.<sup>89</sup>

In its July 2007 report, the Group described how it had received insufficient cooperation from the DRC government and that Congolese individuals subject to the sanctions "continue[d] their activities with impunity despite Security Council Sanctions."<sup>90</sup> The Group provided descriptions of the various armed groups within the DRC, naming their leaders, and detailing their activities (including the degree to which they used children as combatants) and the potential violations of the weapons embargo. During its investigations, the Group found that the link between natural resource exploitation and rebel ability to continue conflict had not loosened.<sup>91</sup> As a result, it recommended that, with international assistance, the Congolese authorities increase their institutional capacity to control the country's natural resources.<sup>92</sup>

In August 2007, the Council extended the Group's mandate through mid February 2008 and renewed the arms embargo, assets freeze, and travel ban. It reiterated its request that the Group provide the Committee with a list, with supporting evidence, of those found to have violated the arms embargo.<sup>93</sup> In March 2008, the Council renewed the Group's mandate through 31 December 2008. The Council also

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<sup>85</sup> S/RES/1596 (2005).

<sup>86</sup> UN Security Council Resolution 1857, S/RES/1857, 22 December 2008. For a list of the relevant resolutions, see the "Cheat Sheet" appended to this report.

<sup>87</sup> Global Witness, "Same Old Story: A Background Study on Natural Resources in the Democratic Republic of the Congo," June 2004, p. 11.

<sup>88</sup> United Nations, *Report of the Group of Experts on the DRC*, 18 July 2006, S/2006/525, para. 30.

<sup>89</sup> In 1992-1993, Uganda exported no gold; by 1996-1997, it exported over US\$110 million in gold. Between 2000 and 2004, Uganda exported roughly US\$50 million of gold each year. See S/2005/436, para. 82.

<sup>90</sup> United Nations, *Report of the Group of Experts on the Democratic Republic of the Congo*, S/2007/423, 18 July 2007, para. 23.

<sup>91</sup> *Ibid.*, paras. 61-117.

<sup>92</sup> *Ibid.*, para. 128.

<sup>93</sup> UN Security Council Resolution 1771, S/RES/1771, 10 August 2007.

lifted the embargo on DRC government forces, as well as the prohibition on the provision of technical training for the country's police and armed forces. Finally, the Council also expanded the criteria for individual targeted sanctions to include individuals believed to purposefully target women during armed conflict.<sup>94</sup>

In its July 2007 report, the Group also recommended that companies unable to demonstrate adequate due diligence practices should be sanctioned.<sup>95</sup> In its February 2008 report, the Group then detailed the lack of such practices and noted that individuals and entities buying mineral output from areas of the eastern DRC with a strong rebel presence should be considered to be violating the sanctions regime. It recommended that purchasers similarly exercise due diligence by refusing to purchase mineral output known or suspected to have been taxed by armed groups during the export process.<sup>96</sup>

In its December 2008 report, the Group described the status and funding of the armed groups operating in the northeastern DRC. It discussed the ongoing violations of the sanctions and Rwanda's alleged support for the rebel group led by Laurent Nkunda, the Congrès National pour la Démocratie (CNDP). In particular, the Group discussed the satellite phone records it had obtained for CNDP and Rwandan Armed Forces officials for the period of August 2007 to September 2008. The Group analyzed the records and found that CNDP officials frequently spoke to high-ranking officials within the Rwandan Armed Forces and the Rwandan Presidency. The Group added that the length and frequency of the calls "indicate at least extensive sharing of information."<sup>97</sup> Similarly, it reported on the Congolese Army's collaboration with the Forces Démocratique pour la Libération du Rwanda (FDLR). Specifically, the Group found that the FARDC and the FDLR routinely conduct joint attacks against CNDP and that when they do so, they split operational axes. Moreover, FARDC provides the FDLR with the ammunition it requires to participate.<sup>98</sup> Based on its findings, the Group recommended that the sanctions list be expanded, that Rwanda be reminded of its promise not to support the CNDP, and that MONUC's mandate concerning monitoring of the arms embargo be clarified. Finally, concerning the exploitation of natural resources, it recommended that a map of mineral rich zones and armed groups be developed to facilitate due diligence in the export of these resources.<sup>99</sup>

## Sudan

In 2004, the Security Council imposed an arms embargo on nongovernmental belligerents in Darfur, the western region of Sudan.<sup>100</sup> In 2005, the Council extended the embargo to all combatants (including the Sudanese Government troops operating in Darfur). The Council also created a Panel of Experts to monitor the embargo and to recommend individuals considered responsible for the continuing violence in Sudan for inclusion on the travel ban and assets freeze lists.<sup>101</sup> It was not until 2006, however, that the Council named four individuals to these lists.<sup>102</sup> The Panel's mandate has been extended five times, most recently through 15 October 2009.<sup>103</sup>

<sup>94</sup> UN Security Council Resolution 1807, S/RES/1807, 10 August 2008.

<sup>95</sup> S/2007/423, paras. 168-173.

<sup>96</sup> United Nations, *Report of the Group of Experts on the Democratic Republic of the Congo*, S/2008/43, 13 February 2008, para. 102.

<sup>97</sup> S/2008/773, para. 65.

<sup>98</sup> *Ibid.*, para. 104.

<sup>99</sup> S/2008/773, XII.

<sup>100</sup> UN Security Council Resolution 1591, S/RES/1591, 29 March 2005.

<sup>101</sup> *Ibid.*; UN Security Council Resolution 1556, S/RES/1556, 30 July 2004.

<sup>102</sup> UN Security Council Resolution 1672, S/RES/1672, 25 April 2006.

<sup>103</sup> UN Security Council Resolution 1779, S/RES/1841, 15 October 2008.

During its mandate, the Panel of Experts on Sudan has continually witnessed violations of the arms embargo and documented how weapons illegally reach combatants in Darfur. The Panel's January 2006 report described the political and security situation in Darfur and detailed the evolving relationships among rival rebel factions and the ongoing human rights abuses and attacks against civilians.<sup>104</sup> For instance, on 23 October 2005 an attack against a village in southern Darfur "left dozens of civilians dead and many more injured. Some 240 families fled and were unable to harvest their crops."<sup>105</sup>

The Panel's early 2006 report identified the roles of Chad, Eritrea, and Libya in supplying rebel movements in Darfur, thus fueling the conflict. The Panel reported that "the information on Eritrean support was corroborated by a former leader of the Justice and Equality Movement (JEM) rebel group who admitted to the Panel that JEM was receiving weapons, ammunition, and communications equipment from Eritrea and that JEM forces had trained in Eritrea in 2004."<sup>106</sup> The Panel further ascertained that someone in the Libyan security services had shipped almost 100 Land Cruisers to the Sudan Liberation Army (SLA) rebel faction in Darfur.<sup>107</sup> Chadian Army soldiers also reportedly deserted not only to the rebellion in their own country, but also to rebel forces in Darfur.<sup>108</sup>

In October 2006, the Panel detailed how it faced numerous constraints in carrying out its mandate, particularly with the security situation in Darfur. The Panel also described more violations of the weapons embargo and, in a confidential annex, recommended additional individuals for the travel ban and assets freeze lists. In fact, the Panel has continued to offer names in this fashion since its first report.<sup>109</sup>

The Panel explained that immediately after the signing of the Darfur Peace Agreement (DPA) in May 2006, the Sudanese government supported the Janjaweed forces it previously claimed it could not control.<sup>110</sup> More importantly, the Panel found credible information that "the Government of Sudan continues to support the Janjaweed through the provision of weapons and vehicles."<sup>111</sup> On 31 July 2006, the Panel "witnessed approximately seven Toyota pick-up trucks mounted with light machine guns and a large number of troops of the Sudanese armed forces being unloaded from an Ilyushin II-76 at the El-Fasher airport."<sup>112</sup> The Panel cited reliable sources which confirmed that this flight had been one of ten such flights that week. All of those flights, according to the Panel, were "blatant" violations of the embargo.<sup>113</sup>

In its October 2007 report, the Panel presented detailed case studies of arms embargo violations by the various rebel groups, as well as by the Governments of Sudan and Chad.<sup>114</sup> As requested by the Council, the Panel described the Sudanese government's use of offensive overflights and provided criteria for

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<sup>104</sup> United Nations, *Report of the Panel of Experts on Sudan*, S/2006/65, 30 January 2006, paras. 14-18. The report described how rebel factions did not present a unified front during the seventh round of peace negotiations in Abuja in late 2005. The report also found ongoing attacks against civilians in Darfur.

<sup>105</sup> *Ibid.*, para. 22.

<sup>106</sup> *Ibid.*, para. 86.

<sup>107</sup> *Ibid.*, para. 92.

<sup>108</sup> *Ibid.*, para. 99.

<sup>109</sup> Author correspondence, Panel member, November 2008.

<sup>110</sup> United Nations, *Report of the Panel of Experts on Sudan*, S/2006/795, 3 October 2006.

<sup>111</sup> *Ibid.*, para. 76.

<sup>112</sup> *Ibid.*, para. 84.

<sup>113</sup> *Ibid.*, para. 84.

<sup>114</sup> United Nations, *Report of the Panel of Experts on Sudan*, S/2007/584, 3 October 2007

acts that impede the peace process or constitute a threat to stability in Darfur and the region. The experts detailed accounts of actions justifying the naming of certain individuals as “threats” to such stability.<sup>115</sup> Other violations, not just of the arms embargo but of international human rights law, were described. The Panel conducted ten case studies of attacks against villages and civilians. One such attack was described as follows:

The attacks began on 28 August 2006 with the villages of Tabaldiyah, Ligedeiba, Geweghina, Tirtish, Kuria, Bagaga, Um-Dremeh and Hillat Tama being attacked and destroyed. On 29 August, two more villages — Arada and Bir Sigir — were attacked and destroyed. On 30 August, the village of Amoodh al-Akhdar was attacked and destroyed. Over the first three days of September 2006 the villages of Geweghina, Amoodh al-Akhdar, Tabaldiyah, Ligedeiba and Tirtish were also attacked and destroyed. It is estimated that 500 civilians were killed in the attacks.<sup>116</sup>

The Panel described nine other attacks, in some cases with photographs and footnotes of other sources (including the African Union and UN High Commissioner for Refugees) that independently confirmed the Panel’s case studies. This detailed report provided a comprehensive picture of violent events in Darfur during its mandate and vignettes of typical violations and threats to peace and security.

Based on its findings, the Panel urged adding those responsible for violating the arms embargo and for attacks on civilians to the sanctions list. It also recommended imposing an aviation ban on the companies involved in violating the arms embargo, improving border control between Sudan and Chad in particular, and adding cross-border monitoring to the peacekeeping mandate of the soon-to-deploy African Union-United Nations hybrid operation in Darfur (UNAMID).<sup>117</sup>

With the September 2007 renewal, of the Panel’s mandate the Council also asked the Panel to coordinate its activities, with the African Union Mission in Darfur (AMIS) as well as with the anticipated UNAMID force.<sup>118</sup> In October 2008, the Panel reported that embargo violations, committed by all parties, continued in Darfur. For example, the Panel found that, despite continuing denials, the Government of Sudan was providing training not just to various Sudanese armed groups but also to Chadian rebels:

The Panel arrived in an SAF [Sudanese Armed Forces] controlled area of Western Darfur in August 2008, for example, in close proximity to a heavy machine-gun live firing exercise. When asked about the security situation in the area, SAF personnel who received the Panel stated that all was calm and the sound of firing was of no concern as it originated from a nearby Chadian opposition group training exercises. Analysis of the groups’ arms, ammunition and vehicle stocks encountered by the Panel showed a correlation between some of their stocks and SAF-issued equipment...The Panel has consistently been informed by its interlocutors in the Government of Sudan that no Chadian armed group is present on Sudanese territory. The Panel’s findings, in spite of its limited access to these groups in Darfur, clearly prove that they are not only present but are openly hosted, supplied and supported by the Government of Sudan.<sup>119</sup>

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<sup>115</sup> S/RES/1591(2005).

<sup>116</sup> S/2007/584, para. 240.

<sup>117</sup> S/2007/584, Summary of Recommendations.

<sup>118</sup> UN Security Council Resolution 1179, S/RES/1779, 28 September 2007, para. 3.

<sup>119</sup> United Nations, *Report of the Panel of Experts on Sudan*, S/2008/647, 11 November 2008, paras. 156-157.

The Panel also found that Sudan had acquired three to five unmanned aerial vehicles that it used over Darfur.<sup>120</sup> Moreover, the Panel verified that the Sudanese Armed Forces (SAF) had conducted aerial bombing in Darfur and that Sudanese military aircraft continued to be painted white. Further, it found that the UNAMID mission had been unable to fulfill its mandate to monitor the arms embargo. As a result of the widening conflict it observed, the Panel recommended that the Security Council consider expanding the arms embargo to the entire Sudanese territory, Chad, and the northern Central African Republic. The report urged that the embargo monitoring efforts be “mainstreamed” preferably by creating dedicated arms embargo cells, within the operational structures of UNAMID and the other peace operations in the region, including those led by the European Union and the United Nations in Chad and the Central African Republic. It noted that such an expansion would require additional support for the Panel itself.<sup>121</sup> Finally, the Panel reported on the use of children by the Justice and Equality Movement (JEM) during an armed attack in May 2008, attacks by government supported groups on internally displaced persons camps and UNAMID, and detailed ongoing human rights violations by the Government of Sudan.<sup>122</sup>

## Somalia

The Security Council first imposed an arms embargo on Somalia in 1992.<sup>123</sup> Ten years later, because of continuing violations, the Council created an expert group to monitor that embargo.<sup>124</sup> The Team of Experts initially created in 2002—to ascertain the need for improved monitoring—was then replaced three months later by a Panel of Experts with a six-month mandate to monitor the embargo.<sup>125</sup> In 2003, the Panel’s mandate was extended, but renamed a Monitoring Group.<sup>126</sup> Since its creation, the Group’s mandate has been renewed 12 times and is set to work through December 2009.<sup>127</sup>

Since its creation, the Group has reported continuous violations of the embargo. Indeed, the initial Team of Experts report explained that, due to lack of enforcement, an inactive Sanctions Committee, and a lack of political will on the part of Somalia’s neighbors, weapons were not only easy to obtain, but also to import into Somalia.<sup>128</sup> In 2003, the experts traveled to Somalia (although not to Mogadishu) and the region. The Group found continuing violations of the embargo. Most violations were on the small scale in terms of the number of weapons involved, because “the nature of the conflict in Somalia demands little more.”<sup>129</sup> Because arms trafficking to Somalia is so pervasive, halting it requires the extensive external support of its neighbors (i.e., from Djibouti, Eritrea, Ethiopia, Egypt, Libya, and Yemen): the Group noted that the embargo had “no normative value.”<sup>130</sup> Systematic violations continued during the Group’s terms despite their repeated recommendations for strengthening the arms embargo, for increased Sanctions Committee involvement, for imposing sanctions on commodities that fund weapons purchases (charcoal and fishing in Somali waters), and for targeted sanctions on those who contribute

<sup>120</sup> Ibid., paras. 77-81 and Photos 9 and 10. Sudanese officials first denied the existence of the vehicles, then said they did not belong to the Sudanese military but to another organization and were being used for locust control.

<sup>121</sup> Ibid., Executive Summary, paras. 346-349.

<sup>122</sup> Ibid.

<sup>123</sup> UN Security Council Resolution 733, S/RES/733, 23 January 1992.

<sup>124</sup> UN Security Council Resolution 1407, S/RES/1407, 3 May 2002.

<sup>125</sup> Ibid. The Panel’s mandate was extended through 2002.

<sup>126</sup> The change in the Panel’s name is not significant. Author interview with UN official, November 2006.

<sup>127</sup> UN Security Council Resolution 1853, S/RES/1853, 18 December 2008.

<sup>128</sup> United Nations, *Report of the Team of Experts on Somalia*, S/2002/722, 3 July 2002. The entire report makes this argument.

Relevant paragraphs include Sections III and IV.

<sup>129</sup> United Nations, *Report of the Panel of Experts on Somalia*, S/2003/223, 25 March 2003, Executive Summary.

<sup>130</sup> Ibid.

the most egregious violations. In 2003 and 2004, for example, the Group recommended an assets freeze and a travel ban.<sup>131</sup> The Group also repeatedly urged increased international support for building peace in Somalia.

In 2003 and 2004, the Group also described how revenues from fishing, piracy, control of ports and airports, and illegal currency printing were used for weapons purchases.<sup>132</sup> These reports also pointed out a problematic area of the arms embargo: countries and some private companies denied they were violating the arms embargo because they said they only provided uniforms and police equipment to Somali belligerents. The Panel argued, however, that such support constituted a violation.<sup>133</sup>

In May 2006, the Group described the role of Djibouti and Eritrea in providing weapons to the various Somali factions. The Group had “obtained sufficient evidence to warrant” naming Eritrea as the state whose activities were described in the Group’s earlier reports.<sup>134</sup> Eritrea denied a role in the shipment of weapons to Somalia, calling the claim “outrageous.”<sup>135</sup> The report found evidence suggesting that Eritrea, Ethiopia, Italy, Saudi Arabia, and Yemen may have provided the Transitional Federal Government (TFG) and some Somali groups with military equipment.<sup>136</sup> Eritrea, Italy, and Saudi Arabia responded to the Group in writing, either to deny any involvement in the embargo violation or to provide details concerning the transactions showing that they did not constitute violations.<sup>137</sup>

The Group’s report also offered interesting—and otherwise difficult to find—information on the political situation in Somalia.<sup>138</sup> The report explained how “clandestine third-country involvement in Somalia was active during the reporting period.” The Group learned that

during January and February 2006, and at other times not specified in the present section, financial support was being provided to help organize and structure a militia force created to counter the threat posed by the growing militant fundamentalist movement in central and southern Somalia.<sup>139</sup>

According to the Group, warlords fund their activities through fees they charge at airports and checkpoints. At one airport, near Mogadishu, the warlord who controls it makes US\$1.5 million per year.<sup>140</sup> Further, pirates operate along the Somali coast, hijacking ships and demanding ransom before the ships are released.<sup>141</sup> Based on its analysis of arms shipments, warlord revenue generation, and involvement of neighboring countries in sanctions busting, the Group continued to recommend the imposition of an integrated arms embargo, a ban on Somali charcoal exports, and a ban on foreign vessels fishing in Somali waters. It also recommended the imposition of a travel ban and assets freeze on those responsible for the continuing violence in Somalia.<sup>142</sup>

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<sup>131</sup> S/2003/223, paras. 188-189; United Nations, *Report of the Monitoring Group on Somalia*, S/2004/604, 11 August 2004, paras. 76-77.

<sup>132</sup> S/2003/223; S/2004/604.

<sup>133</sup> S/2003/223, para. 74.

<sup>134</sup> United Nations, *Report of the Monitoring Group on Somalia*, S/2006/229, 4 May 2006, para. 15.

<sup>135</sup> *Ibid.*, para. 20. Reports since then continue to point to Eritrea’s role in channeling weapons to Somalia.

<sup>136</sup> *Ibid.*, paras. 22-31.

<sup>137</sup> *Ibid.*, Annex.

<sup>138</sup> International Crisis Group, “Can the Somali Crisis Be Contained?” Africa Report N. 116, 10 August 2006, pp.15, 26.

<sup>139</sup> S/2006/229, para. 32.

<sup>140</sup> *Ibid.*, para. 43.

<sup>141</sup> *Ibid.*, paras. 76-103.

<sup>142</sup> *Ibid.*, paras. 159-165.

The Group's November 2006 report was particularly contentious because it claimed Somalia's Islamic Courts Union (ICU) had sent 720 fighters to Lebanon to fight with Hezbollah during the 2006 summer war with Israel.<sup>143</sup> This damaged the Group's credibility as analysts deemed it unlikely to be accurate. A January 2007 International Crisis Group report described the November 2006 report as generally accurate, however, except for that particular claim.<sup>144</sup>

Since then, the Group has continued to report on weapons trafficking. In its July 2007 report, it noted that, while Uganda had legally imported weapons to Somalia—it had obtained an exemption to the embargo from the Security Council—as part of the African Union's new peacekeeping mission to Somalia (AMISOM), Ethiopia had done so without the Council's permission (as part of its December 2006 invasion and continued presence in Somalia).<sup>145</sup> At that time, the Group reported that Ethiopia did not consider its activities in Somalia to be in violation of the arms embargo.<sup>146</sup> The Group also reported (and obtained soil samples that verify the information) that Ethiopia used white phosphorus weapons during the invasion, which Ethiopia denies.<sup>147</sup> The Group further described several occurrences of suicide bombings, as well as the increased use of surface to air missiles by Somali insurgents against Ethiopian troops.<sup>148</sup> Such descriptions on an ongoing conflict are useful for the Security Council, particularly when member states have requested that it consider the deployment of a UN peace operation to Somalia.

In April 2008, the Group reported that the arms embargo continued to be violated by belligerents across Somalia, including by members of the TFG, the Somalia Police Force, and Ethiopian and Ugandan officers from AMISOM.<sup>149</sup> For the first time since 2005, the Group had been able to travel to Somalia,<sup>150</sup> Group again described the status and conditions of the main belligerents in Somalia. It explained that the TFG military, intelligence and police forces could no longer be seen as pursuing the same goals and that each faction maintained its own armed forces. The Group described the multiple opposition factions, grouping them into three categories, the Shabaab, Muqawama, and the ICU. All three groups view the TFG as illegitimate and want the withdrawal of Ethiopian forces from Somalia.<sup>151</sup> The report described recent developments in the ongoing conflict between Somalia's two calmer regions, Puntland and Somaliland.

Additionally, the Group described continued violations by opposition groups in Somalia and by countries supporting various sides, including Eritrea, Ethiopia, and Yemen.<sup>152</sup> The Group also

<sup>143</sup> United Nations, *Report of the Monitoring Group on Somalia*, S/2006/913, 22 November 2006, paras. 95-101.

<sup>144</sup> See International Crisis Group, "Somalia: The Tough Part is Ahead," Crisis Group Africa Briefing N. 45, 26 January 2007, footnote 24. Other sources share the view that the report was generally accurate, but note the claim concerning Hezbollah. See, for example, Andrew McGregor, "Accuracy of New UN Report Doubtful," *Terrorism Focus*, Volume 3 (45) (The Jamestown Foundation, 21 November 2006).

<sup>145</sup> United Nations, *Report of the Monitoring Group on Somalia*, S/2007/436, 17 July 2007, Summary. In an interview with National Public Radio, Somalia expert Ken Menkhaus said he believed that it was possible that Somali fighters had traveled outside of Somalia, not to fight, but to receive training from Hezbollah. See Michele Kelemen, "UN Report Ties Somalia Islamists to Hezbollah," *National Public Radio*, "All Things Considered," 15 November 2006.

<sup>146</sup> S/2007/436, para. 29. Ethiopia argued the embargo that its involvement in Somalia constituted self-defense.

<sup>147</sup> *Ibid.*, paras. 30-34.

<sup>148</sup> *Ibid.*, paras. 37-40.

<sup>149</sup> United Nations, *Report of the Monitoring Group on Somalia*, S/2008/274, 24 April 2008, Summary.

<sup>150</sup> *Ibid.*, para. 3. The Group also traveled to Denmark, Ethiopia, France, Uganda, the United Arab Emirates, the United Kingdom, and Yemen.

<sup>151</sup> *Ibid.*, para. 21.

<sup>152</sup> *Ibid.*, paras. 77-96.

investigated reports—because they may have constituted violations—of a cargo shipment from the United Kingdom to Somalia and of the United States providing technical training to Somaliland military officers.<sup>153</sup> As in previous reports, the Group investigated the Somalia arms market, finding that the “TFG, the Ethiopian forces, the Shabaab, warlords, clans, and the Ugandan contingent of AMISOM,” all had taken part in weapons trading.<sup>154</sup> The report cited involvement of key TFG officials and other belligerents in purchasing weapons.<sup>155</sup> The Group recommended that foreign military vessels with a mission to combat piracy and operating in Somalia be granted an exception to the arms embargo for purposes of self-defense. The Group also asked the Sanctions Committee to request additional information from actors the Group found to be involved in weapons trading. It suggested increasing the TFG’s capacity to monitor borders and called for new targeted sanctions (a travel ban and assets freeze) on those who threaten the TFG and AMISOM.<sup>156</sup>

In its December 2008 report, the Group described the command structure, size, and suspected sources of financial and political support of each of the armed factions. Because the arms embargo does not include an exemption for the TFG’s forces, the Group determined that all assistance to the TFG constituted a violation of the embargo. Nonetheless, the Group also described security sector training received by various TFG forces, including the police. The report further analyzed the increasing piracy along the Somali coastline and its implications for the arms embargo. Based on its findings, the Group recommended that the TFG, AMISOM, and other international forces create transparent measures for the “registration, management, and disposal of weapons, ammunition, and explosive stockpiles.” It urged the Committee to ask member states and international organizations to trace weapons they suspect are used or are going to be used in Somalia and to share the information with the Group. The experts also asked that the Council create more precise guidelines for countries in notifying the Sanctions Committee about their support for the TFG. Finally, in response to the growth in piracy, the Group recommended that naval forces seize weapons and “actively interdict trafficking.” Similarly, it suggested that member states help build the capacity of Somali and regional coast guard forces.<sup>157</sup> In December 2008, the Security Council expanded the sanctions regime on Somalia, imposing an assets freeze and travel ban on those who threaten the Djibouti Agreement, and AMISOM, violate the arms embargo, and obstruct the delivery of humanitarian assistance.<sup>158</sup>

### **Al-Qaida and the Taliban**

In scope and resources, the UN structures created to monitor resolutions (including in some cases targeted sanctions) on Al-Qaida, the Taliban, and associated actors are better resourced than those used to monitor other UN targeted sanctions. In 1999, the Security Council imposed a limited aviation embargo and an assets freeze on Al-Qaida, the Taliban, and associated entities.<sup>159</sup> At that time, the Council also created a Sanctions Committee (the 1267 Committee, or the Al-Qaida/Taliban Committee). The 1267 Sanctions Committee is part of a three-pronged UN effort to combat terrorism by monitoring either sanctions or wider-ranging resolutions aimed at containing terrorism and the proliferation of

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<sup>153</sup> Ibid., paras. 97-100.

<sup>154</sup> Ibid., para. 108. The report goes on to detail documented transactions by all of these actors, see paras. 109, 120, 175, 239, 247, and Annex VII.

<sup>155</sup> Other reports documented TFG embargo violations. S/2006/913, paras. 6, 8-9, 211; S/2007/436, paras. 10, 27, 58.

<sup>156</sup> S/2008/274, paras. 255-257.

<sup>157</sup> United Nations, *Report of the Monitoring Group on Somalia*, S/2008/769, 10 December 2008, paras. 267-271.

<sup>158</sup> UN Security Council Resolution 1844, S/RES/1844, 20 November 2008.

<sup>159</sup> UN Security Council Resolution 1267, S/RES/1267, 15 October 1999.



weapons of mass destruction, and increasing member state capacity to implement these resolutions. In short, these efforts are part of a UN-wide counterterrorism strategy.<sup>160</sup>

After 9/11 and the launch of the international campaign in Afghanistan, the United Nations, through Resolution 1373 (2001), also created a Counterterrorism Committee (CTC) which is charged with helping states improve their domestic capacity to fight terrorism. Resolution 1373 imposed wide-ranging counterterrorism obligations on all states and aims to facilitate the delivery of technical assistance to states identified as needing help in meeting the resolution's numerous requirements. As such, the CTC does not monitor sanctions, nor does it maintain the Consolidated List (the list of suspected terrorists or their sympathizers subjected to the travel ban and assets freeze under Resolution 1267). Rather, the CTC helps match assistance to governments to address their ability to implement counterterrorism sanctions.<sup>161</sup> To assist this effort, the Council passed Resolution 1535 (2003), which created an in-house team of experts, called the Counterterrorism Executive Committee Directorate (CTED).<sup>162</sup>

The third prong in the UN counterterrorism effort was created in 2004, after the international community discovered scientist A.Q. Khan's nuclear technology activities.<sup>163</sup> To ensure that states take steps to combat the trade in weapons of mass destruction (WMD), including nuclear, chemical, and biological weapons, the Council passed Resolution 1540 (2004) to require states cooperate on their management of these weapons. The 1540 Committee (or the WMD Committee) is supported by eight experts and helps match states with assistance from other countries.

The structures created to monitor the implementation of these UN resolutions have changed over the years, and the nature and scope of the resolutions have been refined. Between September 2000 and January 2004, the Council created various structures for monitoring those resolutions. First, the Council imposed civil aviation sanctions (a ban on the operation of certain Afghan airlines), as well as a weapons embargo, and requested the Secretary-General to appoint a Committee of Experts to recommend better ways to monitor the sanctions and the progress in closing terrorist training camps.<sup>164</sup> In 2001, the Council asked the Secretary-General to create a new, more comprehensive monitoring mechanism with two components: first, a five-person Monitoring Group to look at implementation of sanctions on Al-Qaida and the Taliban; and second, a fifteen-member Sanctions Enforcement Support Team, under the coordination of the Monitoring Group, comprised of customs, border security, and counterterrorism experts to work in the region itself.<sup>165</sup>

As a result of the deteriorating situation in Afghanistan, the Sanctions Enforcement Support Team was never created. Its support structure, the Monitoring Group, however, came under wide criticism for not traveling to more countries, for failing to give countries time to respond to allegations of implementation failure before the report was published, and for not providing sufficient analysis. Some

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<sup>160</sup> The Strategy was defined by the General Assembly. See UN General Assembly Resolution, A/RES/60/288, 8 September 2006. See "UN Action to Counter Terrorism," available at [www.un.org/terrorism/strategy-counter-terrorism.shtml](http://www.un.org/terrorism/strategy-counter-terrorism.shtml).

<sup>161</sup> For more on the Counterterrorism Committee and the CTED, see [www.un.org/sc/ctc/page1.html](http://www.un.org/sc/ctc/page1.html).

<sup>162</sup> UN Security Council Resolution 1535, S/RES/1535, 24 March 2004. In fact, the CTED was created largely because the Monitoring Group in use since October 2001 was not working. Author correspondence, counterterrorism expert, November 2008.

<sup>163</sup> For more on the 1540 Committee, see [www.un.org/sc/1540/index.shtml](http://www.un.org/sc/1540/index.shtml).

<sup>164</sup> UN Security Council Resolution 1333, S/RES/1333, 19 December 2000.

<sup>165</sup> UN Security Council Resolution 1363, S/RES/1363, 30 July 2001.

member states felt that the Group went beyond its mandate: It visited the International Criminal Court (ICC) in The Hague to examine how the Court could help combat terrorism. The United States also criticized the Group's chair for publicly denying any links between Al-Qaida and Iraq.<sup>166</sup> Still, outside analysts argued that the Group provided important insights into terrorist financing; named and shamed countries who failed to take adequate measures; and highlighted the need for member states to create legal means for implementation.<sup>167</sup> Finally, the Monitoring Team provided recommendations to the Committee on ways to strengthen the sanctions regime.

In January 2004, the Council created an Analytical Support and Sanctions Monitoring Team (the Monitoring Team) to replace the Monitoring Group. This is mandated to monitor the sanctions against Al-Qaida and the Taliban today, now mandated through December 2009.<sup>168</sup> A New York-based entity, the Monitoring Team consists of eight experts (including a coordinator), with a Council mandate to: monitor the implementation of the sanctions; work with the CTED, the WMD (1540) Committee's group of experts and member states; and, report on their activities.<sup>169</sup> Unlike other experts, members of the Monitoring Team are UN consultants, not experts on mission. They travel to countries to assess their implementation of the sanctions. While in Afghanistan, they also work with the UN mission in Afghanistan (UNAMA) to reconcile information about individuals on the Consolidated List.<sup>170</sup>

Counterterrorism experts view the Monitoring Team as more effective than other efforts, including the CTED and the WMD (1540) Committee, because it is charged with the implementation of a resolution targeted on Al-Qaida and the Taliban. Moreover, Security Council members agree that Al-Qaida and the Taliban pose a threat to international security. As a result, the Monitoring Team has adopted a threat-based approach to its work. In practice, as it did in 2006 for 26 countries, this means it targets visits to three sets of countries: those with a high level of threat; those with detailed knowledge of certain terrorist threats; and those which are particularly vulnerable to the threat.<sup>171</sup> The Team has also organized regional meetings in the Middle East, North Africa, the Horn of Africa, and the Trans-Sahel region of Africa, for heads of security and intelligence.<sup>172</sup> Nonetheless, the 1267 Committee continues to face challenges in managing the Consolidated List. Many states have criticized the list, particularly pointing out that the mechanisms for adding and removing people from the list were cumbersome and insufficiently transparent.<sup>173</sup>

In contrast, the CTED and WMD (1540) Committees examine each country's respective efforts concerning terrorism and weapons of mass destruction. They do not take into consideration the fact or possibility that the threat of terrorist activity (whether or not it involves the possibility of weapons of mass destruction) varies according to country. Interestingly, the CTED, whose objective is to monitor member states' implementation of counterterrorism measures, has been criticized for its over-reliance

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<sup>166</sup> Rosand 2004, op. cit., p. 754.

<sup>167</sup> Ibid., p. 755.

<sup>168</sup> UN Security Council Resolution 1822, S/RES/1822 (2008), 30 June 2008, extended its mandate for 18 months.

<sup>169</sup> Ibid., Annex I.

<sup>170</sup> UN General Assembly, *Program Budget for the Biennium 2006-2007*, Report of the Fifth Committee, A/60/7/Add.37, 12 April 2006.

<sup>171</sup> Eric Rosand, Alistair Millar, and Jason Ipe, *The UN Security Council's Counterterrorism Program: What Lies Ahead?* (New York: International Peace Academy, October 2007), p. 8.

<sup>172</sup> Ibid., p. 12.

<sup>173</sup> Ibid.; For recommendations to address this problem, see Thomas J. Biersteker and Susan E. Eckert, *Strengthening Targeted Sanctions Through Fair and Clear Procedures*, Report Commissioned by the Governments of Germany, Switzerland, and Sweden (Providence, RI: Watson Institute for International Studies, March 2006).

on written member state reports and not spending enough time visiting the countries themselves. Rather than reading reports or speaking only to diplomats in New York, the CTED should be permitted to speak directly with technical experts in national capitals, particularly those that implement the relevant UN resolutions.<sup>174</sup> Eric Rosand, Alistair Millar, and Jason Ipe have recommended that the CTED work more like the 1267 Monitoring Team, which, like those focused on Africa, spends the bulk of its time on field investigations.<sup>175</sup>

### **Looking Forward**

Over the years, Panels have developed as key companions to the targeted sanctions the Council imposes. The fact that the Council now uses them regularly demonstrates its reliance on their reports to help determine which actors are responsible for violating sanctions and perpetuating conflict. Panel investigations, findings, and recommendations play an important public role as well, not only in bringing focus to the results of UN targeted sanctions but in providing the international community published information and analysis about continuing threats to peace and security in key regions. Targeted sanctions, even if only partially implemented, may also deter actors and leaders from continuing activities and may decrease their ability to use frozen funds, travel, and trade in key commodities. More importantly, however, by monitoring the sanctions, Panels identify areas of continuing and potentially illicit activity, institutional instability, and highlight how lack of political will threatens peace processes.

Panels demonstrate that targeted sanctions are far from being implemented. The valuable information they offer does not necessarily translate into member state or Security Council action. Certainly the reports of Panels vary in their quality, depth, and usefulness; but in lieu of other such systematic reporting to the Security Council, it remains an open question as to what other mechanism can provide such information and analysis. The Council and member states may become weary and the role of Panels may dim if reform is not considered. Basic sanctions implementation is already in doubt. Some member states are also concerned about the lack of due process for listing and delisting individuals on the sanctions list. These issues may lead the Security Council and its committees to reduce or stop using sanctions regimes or to eventually encourage member states to stop applying them.

Because some Council members doubt the usefulness of sanctions, Panel reports should be used to highlight how natural resources fund weapons purchases and how weak states can instead grow to channel such funds into legitimate enterprises and government revenues; how naming belligerents ends impunity and a functioning justice system; and how identifying the institutional deficiencies in both the targeted and neighboring states could help find ways to support the implementation of sanctions.

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<sup>174</sup> Author correspondence, counterterrorism expert, November 2008.

<sup>175</sup> Rosand et. al 2007, op. cit., pp. 8-9.



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### PANELS OF EXPERTS: ROLES AND CHALLENGES

*During the present mandate, the Panel was informed by reliable sources of a new addition to the aerial military capacities of the Government of the Sudan in Darfur... At a subsequent meeting with the SAF military chiefs of staff at their headquarters in Khartoum, when the Panel requested further information on the deployment of these aircraft, it received a range of answers. The first response was that no such vehicle existed on Sudanese territory. The second answer, given mere seconds later, was that the unmanned aerial vehicle did indeed exist but that it did not belong to SAF, as the Government of the Sudan could see no possible use for such a vehicle. The third response was that the vehicles in question were owned and operated by unspecified non-governmental organizations for the purpose of locust control.*

– United Nations, *Report of the Panel of Experts on Sudan*, 11 November 2008.<sup>176</sup>

The ability of UN expert Panels and Groups to succeed—and of the Security Council to use their findings and recommendations effectively—hinges in great part on the UN Secretariat, the Council’s Sanctions Committees, and the Panels themselves. In response to the Security Council’s creation of Panels, the Secretariat has developed a system to organize and support their work.

This section thus looks at how Panels operate from the time the Security Council approves their creation to when they finally report back, including the process of recruitment, preparation, investigations, and reporting. It discusses the challenges for Panels, how their findings and recommendations are received and disseminated, and improvements that could make the work easier, more effective, and more consistent in terms of methodology, quality, and impact. This section also examines Panel cooperation with other Panels, peace operations, member states, and other international partners.

### PANELS OF EXPERTS: PROCESS AND STRUCTURE

As noted earlier, the Security Council often establishes sanctions regimes with both a Council-led Sanctions Committee (SACO) to administer the sanctions and an independent Panel of Experts to monitor their implementation. Once an expert mechanism is authorized, potential members must be identified, recruited, and prepared for their assignment, including writing reports for submission to the Council. The general life cycle of a UN Panel is described in Figure 1.

#### Typical Mandates

Security Council mandates have been broadly consistent across Panels and over time. The Council generally directs Panels to:

- Monitor UN targeted sanctions regimes;
- Investigate possible violations by targeted states and individuals;
- Provide recommendations for facilitating and improving implementation (e.g., additional names of individuals to include in travel ban and assets freeze lists);
- Draft and submit a report to the Council—by the end of the Panel mandate—detailing findings and providing relevant recommendations;
- Assess (in limited cases) the socioeconomic impact of sanctions on the targeted country; and

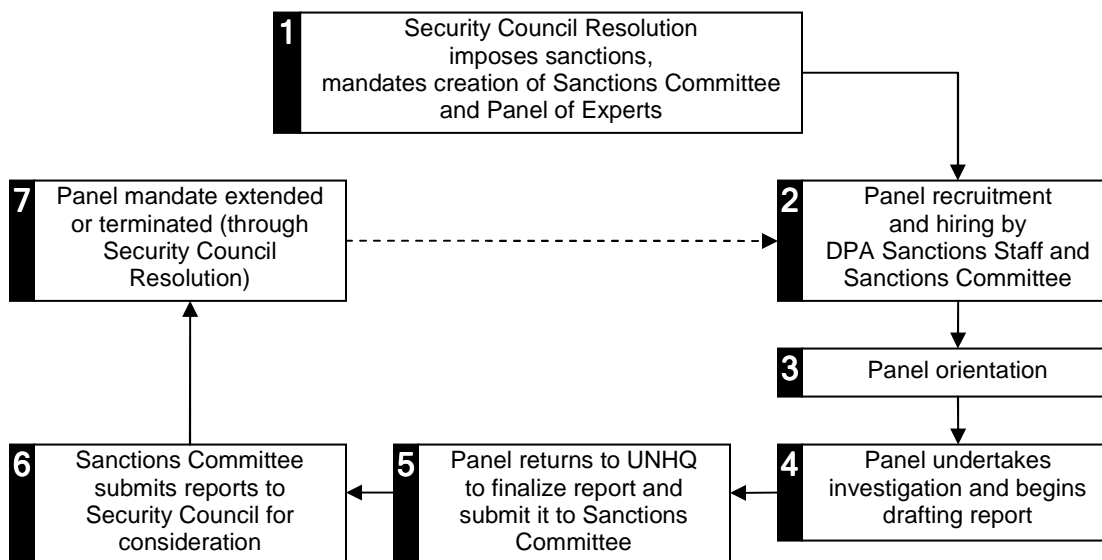
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<sup>176</sup> United Nations, *Report of the Panel of Experts on Sudan*, S/2008/647, 11 November 2008, paras. 81, 84.

- Monitor (again in limited cases) human rights violations and the use of child soldiers by belligerent parties.

In some cases, the Council has asked for more specific assessments. In 2003, for instance, the Panel on Liberia was charged with reviewing the country’s progress towards meeting the UN conditions for lifting embargoes on arms, weapons, and timber.<sup>177</sup> Additionally, the Security asks some Panels to conduct follow-on evaluations, to provide further evidence to back their findings, and to highlight particularly problematic aspects of sanctions violations.

**FIGURE 3.1: THE PROCESS FOR PANELS AND SANCTIONS MONITORING WORK**



Typically the Council specifies the Panel’s makeup, such as the number of experts (usually between four and six), the timeframe for beginning its work (usually 30 days) and the duration of the Panel’s mandate (increasingly twelve months—up from six months in the past). When renewing a Panel (if there is no change in the mandate), the Council simply continues the mandate from the preceding resolution for a specified time, and requests the Panel to report before the end of its term. The language in those resolutions does not usually change.

Some Panel members are based where they live; others, such as the Somalia Monitoring Group and the Sudan Panel, are based nearby in Addis Ababa and Nairobi, respectively. During a six-month mandate, experts spend about three months in the targeted country, its neighboring states and elsewhere, researching violations and tracking leads for their reports. For the rest of the mandate, Panel members work from their base.

Table 3.1 provides an overview of elements included in Panel mandates.

<sup>177</sup> UN Security Council Resolution 1521, S/RES/1521, 22 December 2003, paras. 11-13.

**TABLE 3.1. ELEMENTS OF PANEL MANDATES FOR MONITORING UN TARGETED SANCTIONS REGIMES 2000-2009**

Elements Monitored		Sierra Leone	Liberia	Côte d'Ivoire	DRC	Sudan	Somalia	Al-Qaida / Taliban
Embargo	Arms	✓	✓	✓	✓	✓	✓	✓
	Diamond	✓	✓	✓				
	Timber		✓					
Freeze or Ban	Assets Freeze		✓	✓	✓	✓	✓	✓
	Travel Ban	✓	✓	✓	✓	✓	✓	✓
	Civil Aviation Limits		✓		✓			✓
Assess Impact	Human Rights Violations/ Use of Child Soldiers				✓	✓		
	Natural Resources Exploitation				✓			
	Socioeconomic Impact of Sanctions		✓					

After their field work (about a month before their mandates end), Panels typically finalize their reports and submit them to the Secretariat. DPA staff reviews draft reports to ensure that their findings are well-framed, in compliance with agreed-upon methodology, and that the right of reply has been granted to alleged violators. The report is then submitted to the Council through the relevant Sanctions Committee, appended to a letter from the Panel's Chair or Coordinator. The Council then decides, depending on if the sanctions regime is still in place, whether to renew the Panel's mandate. Once renewed, the Panel team is expected to simply return to work as soon as the Council acts. If the Panel's membership changes, the group resumes when new experts are appointed.

### Recruiting Experts

In its resolutions, the Council requests the Secretary-General to establish the expert group. Within the UN Secretariat, the DPA is responsible for identifying candidates for submission to the Committee for approval and subsequent appointment by the Secretary-General. Since most UN mandates specify that the Secretary-General must form a Panel within a month, the DPA maintains a roster of experts to support recruitment. The roster includes approximately 400 unvetted names, of which only 225 are considered "active."<sup>178</sup> Candidates may also be submitted by referral from previous or current experts, member states, academics, and others. Current and past experts have served as academic and policy center researchers; others may be former police officers and ambassadors.

The DPA must find experts with unique skills and capabilities—a challenging but necessary task. Expert teams need personnel who can examine and identify types of weapons, diamonds, and timber readily, as well as track both the legal and illicit global trade in these commodities. Technical expertise is needed on the team to monitor financial flows and uncover financial assets subject to targeted

<sup>178</sup> See United Nations Office of Internal Oversight Services, *Recruitment of Experts for Sanctions Panels in the Department of Political Affairs*, Audit No. AP 2005/560/03, 24 May 2006, para. 18.

individual sanctions, for example. Some Panels need experts in transportation systems (civil aviation and air safety) and in understanding aviation logs in countries with low institutional capacity and incomplete records.

The current configuration and composition of the Panels themselves is in itself a point of discussion. Today, most Panels are structured so that each *type* of sanctions is monitored by an expert in that functional area, with usually one expert in the country or region. While technical expertise is important, familiarity with the country, the dynamics of its conflict, and the particular challenges the targeted country faces is also helpful.<sup>179</sup> Additionally, the Sanctions Branch does its best to select a geographically diverse and gender-balanced set of experts, but marrying those goals with recruitment of qualified experts remains difficult. Indeed, of the 225 candidates in the roster, only 22 were female, which led the OIOS to recommend to the DPA that they ask countries to provide female candidates for these positions.<sup>180</sup> Language skills may also be a challenge, as some experts assigned to mostly francophone countries reportedly are not fluent in the language. Beyond technical and regional expertise and a willingness to work in sometimes dangerous environments, Panels require diplomatic, interviewing, and reporting skills. Because of these requirements, the DPA has found it difficult to recruit experts.

The experts' status and limitations on the amount of time they can serve also make recruitment more difficult. Indeed, their status as UN consultants or "experts on mission" means that the United Nations does not provide them with benefits such as medical insurance (they are expected to acquire and pay for medical insurance from their monthly salary) or paid leave.<sup>181</sup> UN rules stipulate that experts can only work 24 months in any 36 month period. Some exceptions have been granted, since changing a Panel composition can be detrimental to its ongoing investigations and activities. Nevertheless, working without sick leave, annual leave, or health insurance for up to 24 months is a strong disincentive for prospective experts. While the United Nations acknowledges this problem—and is working to modify contracts for possible longer-term appointments—proponents of the current regulations argue that short-term contracts are beneficial because they ensure that experts retain their objectivity and independence.<sup>182</sup> Moreover, rotating experts more frequently provides an opportunity to build skills and a larger base from which to draw future experts.<sup>183</sup>

Assessing Panel performance—and thus making decisions concerning whether to retain or replace experts—is another challenge. Indeed, some Panel members have not been reappointed if their performance was deemed unsatisfactory—or even unprofessional and against UN rules—by the Sanctions Committee or by the Secretary-General. In rare cases, a Panel member whose findings were considered controversial (and insufficiently documented) might be blocked for renewal by a Committee member. Still, there is currently no formal mechanism for assessing expert performance. Experts are not asked to assess one other's performance. When an expert produces poor quality research or reports—often reflected in drastic variation in quality among sections of the same report—he or she is not necessarily or immediately replaced, frustrating fellow Panel members who sometimes have to take on

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<sup>179</sup> Author interview, Panel member, December 2008.

<sup>180</sup> AP 2005/560/03, para. 18. The Working Group on Sanctions echoed that recommendation. Also see United Nations, *Letter dated 18 December 2006 from the Chairman of the Informal Working Group of the Security Council on General Issues of Sanctions addressed to the President of the Security Council*, S/2006/997, 22 December 2006, para. 11.

<sup>181</sup> United Nations, OIOS Audit No. AP 2005/560/03, paras. 23-27.

<sup>182</sup> *Ibid.*, paras. 31-35; Author correspondence, Panel member, December 2008.

<sup>183</sup> Author correspondence, Panel member, December 2008.



or substantially review their colleagues' work.<sup>184</sup> A better mechanism needs to be developed for both the appointment and performance assessment of Panel member.<sup>185</sup>

## PANELS IN THE FIELD

### Panel Orientation: A Quick Education

The first challenge that newly-hired experts face is preparing for investigations in the field. Once hired, Panel members are briefed at the UN Secretariat on their Security Council mandate. Briefings are tailored to the Panel's specific mandate and cover a variety of topics such as methodology, evidentiary standards, legal issues, security, confidentiality, document management, report-writing, interaction with the media, and interaction with member states. The DPA now provides a handbook on contractual obligations, procedures for expense reimbursements, travel, and other administrative matters. The handbook includes advice on the proper conduct of investigations and has been modified and updated based on feedback from long-running Panels, such as the Panel on Liberia.<sup>186</sup>

The UN Office of Legal Affairs (OLA) briefs experts on their status within the United Nations, on required standards of evidence for their reports, and on other legal issues.<sup>187</sup> The OLA provides Panels with examples of reports considered to meet proper evidentiary standards and explains the instances in which their reports may be used to prosecute alleged sanctions violators or impose secondary sanctions.

Experts have a dual status: although their positions are created by the Council and they are appointed by the Secretary-General, they report back through the Council's Sanctions Committees. They are not full-time UN staff members, but are engaged as a special type of consultant: "experts on mission," with special privileges and immunities.<sup>188</sup> Without lifting their immunity, the Secretary-General can request that experts provide testimony before domestic and international courts in cases that involve allegation of sanctions violations.<sup>189</sup> While on mission, experts cannot be prosecuted for actions undertaken as part of their mandate. The Secretary-General can, however, waive their immunity on various grounds (such as fraud, criminal behavior, etc.) and ensure that they are subject to the relevant legal processes. The OLA briefing covers these immunities, rules for behavior during investigations, the requirement to maintain a filing system for evidence collected during investigations, and information on the right of reply enjoyed by individuals and entities mentioned in the report.<sup>190</sup>

Still, Panel members report that the orientation can be uneven, particularly if experts are joining an existing Panel where current members are expected to bring their new colleagues up to speed. While new Panel members have benefited from extensive briefings with their predecessors, these informal briefings should only be expected to supplement, not completely replace the formal orientation that DPA provides.<sup>191</sup> A few experts noted that they did not receive the OLA briefing either until their

<sup>184</sup> Author interviews, Panel members, summer 2006, December 2008, January 2009.

<sup>185</sup> The Council's Informal Working Group on General Issues of Sanctions, composed of the 15 members of the Council, first raised this issue in its 2006 report. Since 2000, the Working Group has, discussed ways to improve sanctions, their implementation, and the effectiveness of sanctions monitoring. *S/2006/997*, para. 11.

<sup>186</sup> Author interview, UN official, December 2008. The DPA will be releasing an official version of this handbook.

<sup>187</sup> Author interview, UN official, January 2007.

<sup>188</sup> The status of "experts on mission" is defined in the UN Convention on Privileges and Immunities approved by the UN General Assembly in 1948. This immunity can be lifted should the Secretary-General decide expert conduct warrants it, if it is in the interest of the United Nations, and for justice to be served. Author interview, UN official, January 2007.

<sup>189</sup> Author correspondence, UN official, August 2007.

<sup>190</sup> Author interviews, UN officials, December 2006, January 2007.

<sup>191</sup> Author interviews, Panel members, December 2008, January 2009.

second term as an expert—or at all.<sup>192</sup> Given the volume and complexity of the information experts must absorb, a mandatory orientation or induction course would be helpful to new experts, whether or not they are working with more experienced colleagues.

### **Time-Frame of Panels**

Panels operate under time-limited mandates that create a compressed schedule. After the DPA identifies Panel members, they travel to New York for briefings, consultations, and organizational meetings, and then travel to the field for investigations. At the beginning of their mandate, Panel members may organize their own visits to meet with key governments or NGO experts. Panel reports must be submitted to the Sanctions Committee at least one month before the end of the mandate. While experts are free to organize their research as they see fit, with short mandates in particular (six months or less), preparing for, conducting, and reporting on this work within this timeframe is difficult.

This schedule limits the time for conducting field research and interviews, perhaps more than would be obvious at first. Panel members for Côte d'Ivoire, the DRC, Liberia, and Sudan expressed the view that six-month mandates were too short.<sup>193</sup> The three months available for often extensive travel and investigation left them little time to follow the many leads that inevitably arose.<sup>194</sup> In 2006, the DRC Group had only nine weeks to conduct its field investigations before returning to New York to draft its report. During that time, the Group members visited Belgium, France, Germany, Libya, South Africa, the United Kingdom, and the United States, as well as Burundi, the DRC, Kenya, Rwanda, Tanzania, and Uganda but lacked the time to visit weapons-producing countries.<sup>195</sup>

By the time the Group's mandate was renewed, it had been three months since any expert had visited the DRC. As a result, information became dated and sources or contacts were lost.<sup>196</sup> In some cases, the requirements for an interim report to the Council also strain the Panel's resources. More significantly, because investigations are still ongoing, the quality of the interim report suffers when experts are reluctant to divulge their initial results for fear of jeopardizing their larger efforts.<sup>197</sup> As a result, some experts stress that short mandates combined with requirements for interim reports hamper their ability not just to conduct research but also to produce valuable reports. Indeed, because compiling and writing reports is so time-consuming, short mandates can actually slow progress.<sup>198</sup>

The logistics involved in coordinating research and travel also impact a Panel's schedule. Transportation problems may hamper their research or waste valuable time. In the field, experts depend upon available UN flights and must arrange complicated schedules. One expert reported being stranded several times—and for several days—in a country where he was conducting investigations because he was unable to board a UN helicopter to the next city he was trying to reach.<sup>199</sup> Sometimes coordination with the UN Secretariat may also be difficult. According to Human Rights Watch, the experts on the Angola Panel

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<sup>192</sup> Author interviews, Panel members, spring and summer 2006, December 2008.

<sup>193</sup> Author interviews, Panel members, spring and summer 2006. See also *S/2006/795*, para. 72, Recommendation 1.

<sup>194</sup> Author interviews, Panel members, June-July 2006.

<sup>195</sup> United Nations *S/2006/525*, paras. 8-9.

<sup>196</sup> *Ibid.*, para. 220.

<sup>197</sup> Author interview, Panel member, December 2008.

<sup>198</sup> Author interviews, Panel members, June-July 2006, December 2008, January 2009.

<sup>199</sup> Author interview, Panel member, June 2006.

lost about two months of investigation time because of poor logistics and the lack of a centralized office to coordinate the Panel's travel.<sup>200</sup>

Accordingly, the DRC Group requested a year-long mandate to allow longer appointments and more continuity in Panel membership and the investigations. Panels have observed that longer mandates increased their familiarity with the region and its actors, thus enhancing their ability to obtain valuable information about potential violations. The Security Council granted the DRC Group a 12-month mandate through July 2007. When the Panel's mandate was renewed again, however, it was extended for seven months through late March 2008, then extended again for up to ten months in December 2008.

Today, the Côte d'Ivoire, DRC, and Sudan Panels have year-long mandates. For the DRC and Sudan Panels, longer mandates seem to have enhanced their ability to conduct investigations, which in turn has improved the quality of their work. For example, the Sudan Panel was able to make several trips to both Sudan and Chad during its year-long mandate and the Panel spent over six months in the field.<sup>201</sup> Increasing the time-frame to between nine and twelve months could be useful to other Panels as well. The trade-off is potential difficulties in recruiting experts reluctant to leave their jobs and families for a full year. Extended mandates could come with another cost: the Security Council will not act on information included in the report or the Panel's recommendations until the report is released.<sup>202</sup>

### **Working with Other Panels**

Information sharing *among* UN Panels is an ongoing challenge. There is no established mechanism for Panel members to meet one another or to work together easily. Organizing such meetings is also difficult as most Panel members travel for roughly half of their assignments. Structurally, not all Panels are even mandated to cooperate with other Panels. In fact, of the current Panels, only the mandates for the Côte d'Ivoire and Liberia experts specifically request their cooperation with other Panels.<sup>203</sup>

Nonetheless, cooperation among the Panels has evolved, ranging from data-sharing to higher levels of engagement. Early on, the Sierra Leone Panel "was able to coordinate some of its work with the concurrent Angola Panel," but both Panels also reported that they duplicated each other's work in some instances.<sup>204</sup> By 2005, the DRC group cited such "cross pollination" as beneficial in that it "expedited investigations."<sup>205</sup> The Panel of Experts on Sudan reported sharing information with the DRC Group.<sup>206</sup> Similarly, the DRC Panel shared information with its Liberia counterpart. Since 2006, the Somalia Panel and the Monitoring Team for Al-Qaida and the Taliban have met to discuss overlap in their work, typically at least once during the course of their respective mandates. The Group of Experts on Côte d'Ivoire, in its September 2006 report, explained it cooperated with various other Panels. In particular, the Group conducted "joint missions in May 2006 in Senegal with the DRC Group and in Liberia with the Liberia Group and conducting investigations on behalf of the Liberia Group in Ghana and in western

<sup>200</sup> Human Rights Watch, "The UN Sanctions Committee on Angola: Lessons Learned?" Briefing Paper, 17 April 2000, p. 2.

<sup>201</sup> S/2007/584, 3 October 2007, paras. 28-36.

<sup>202</sup> Author correspondence, Panel member, November 2008.

<sup>203</sup> UN Security Council Resolution 1647 (on Liberia), S/RES/1647, 20 December 2005; Resolution 1584 (on Côte d'Ivoire), S/RES/1584, 1 February 2005; and Resolution 1643 (on Côte d'Ivoire), S/RES/1643, 15 December 2005.

<sup>204</sup> S/2000/1195, paras. 17, 59.

<sup>205</sup> United Nations, *Report of the Group of Experts on the Democratic Republic of the Congo*, S/2005/30, 25 January 2005, para. 16.

<sup>206</sup> S/2006/65, para. 63.

Côte d'Ivoire."<sup>207</sup> The Liberia and Côte d'Ivoire Panels also worked together to monitor the arms embargoes and travel bans in their respective areas, communicating by email and telephone and traveling to Guinea together.<sup>208</sup> During 2008, the Côte d'Ivoire and Liberia Panels continued to work together, conducting research and attending Kimberley Process meetings, for example.<sup>209</sup>

One remedy would be for Panels to provide each other with their anticipated work plan through a system of cross-Panel communications. For example, a collaborative and secure "wiki" could be created on an intranet system to share information more systematically and to reduce duplication in investigations. As of December 2008, such a system is being planned. In addition, however, a workshop or conference identifying standard practices and lessons learned convening former and current experts, the UN Secretariat, and members of Sanctions Committees might also increase collaboration and cooperation between Panels. This could be organized by the Secretariat or by an outside organization in support of improving the quality and effectiveness of the Panel's roles. Increasing the number of informal opportunities to exchange information would also assist all those involved in monitoring targeted sanctions.

### **Working with Member States**

The Security Council imposes targeted sanctions under a Chapter VII mandate and directs that member states comply. Panels' requests for cooperation are met with a wide variety of responses, however. For Panels to function they need assistance from member states including information, interviews, and permission to visit. While Panel investigations often involve countries that are insufficiently cooperative or may not support their goals, they also encounter states that lack the institutional capacity, both in terms of staff and financial resources, to support their research. As such, lack of cooperation usually manifests as logistical hurdles, resulting in missed meetings and poor information-sharing. In some instances, Panels members have arrived in countries only to discover that their scheduled visits to key border sites have been cancelled or rerouted to areas without any suspicious activity to research.

The Council, for example, has repeatedly asked countries to cooperate with the DRC Group of Experts. In March 2005, it passed a resolution insisting that "all parties and all States cooperate fully with the work of the Group of Experts." Specifically, the Council asked that they ensure "the safety of their members, unhindered and immediate access for the members of the Group of Experts, in particular by supplying them with any information on possible violations" of the sanctions, and "by facilitating access of the Group of Experts to persons, documents, and sites it deems relevant to the execution of its mandate."<sup>210</sup> Since 2005, the Council has used almost identical language to request national cooperation with Panels during their investigations.<sup>211</sup>

Nevertheless, the DRC Group cited mixed support from local and regional authorities. Rwanda proved cooperative during the Panel's 2006 mandates, while Ugandan authorities were much less so. The Group reported that "[i]n the case of Uganda, the government authorities did not permit the Group to

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<sup>207</sup> S/2006/735, para. 19.

<sup>208</sup> A/60/7/Add.37, 21.

<sup>209</sup> For the October 2008 Côte d'Ivoire Panel Report, see S/2008/598; for the December 2008 Liberia Panel Report, see S/2008/785.

<sup>210</sup> UN Security Council Resolution 1596, S/RES/1596, 3 May 2005, para. 19.

<sup>211</sup> Resolutions requiring state cooperation with various Panels are similar. For examples requesting national cooperation with the Panel of Experts on Liberia, see S/RES/1759 (2004), para. 11; S/RES/1607 (2005), para. 16; S/RES/1647 (2007), para. 11; S/RES/1760 (2007), para. 7; and S/RES/1819 (2008), para. 6. These resolutions "call[ed] upon all States and the Government of Liberia to cooperate fully with the Panel of Experts in all the aspects of its mandate."

visit the arms and ammunition factory at Nakasongola, despite the repeated requests the Group made during earlier mandates.”<sup>212</sup> At the end of its report, the Group added:

Although there have been continued improvements in the cooperation of most of the states of the Great Lakes Region, the collaboration between Uganda and the Group of Experts... has not been satisfactory. The Group is of the view that Uganda has ignored the specific demand of the Security Council.<sup>213</sup>

In 2007, the DRC Group indicated that cooperation from Uganda had improved marginally but that working with the Congolese authorities, particularly during the electoral process, had remained difficult.<sup>214</sup>

Panel members also encounter government officials who are uncooperative in scheduling meetings or trips. The Ugandan government, for example, repeatedly refused the DRC Panel access to airports and information on flights passing through its territory.<sup>215</sup> In 2007, the DRC Group asked 17 arms manufacturing states for information related to their investigation—and only the United States responded.<sup>216</sup> In Sudan, the Panel’s work was complicated by the government’s failure to provide documents and information.<sup>217</sup> Further, other countries—the Central African Republic, Egypt, Eritrea, and Saudi Arabia—hampered investigation of alleged violations by never responding to the Panel’s request to visit those countries.<sup>218</sup>

A recurring problem is the failure of some countries to provide experts with timely or multiple-entry visas. Rwanda, for example, delayed the DRC Group by refusing to provide transit visas.<sup>219</sup> Similarly, Nigeria consistently refused to give the Liberia Panel visas to investigate Charles Taylor’s assets and the country’s implementation of the assets freeze.<sup>220</sup> The Sudanese government delayed the Sudan Panel by refusing its members multiple-entry visas. The government provided such visas for the initial period of the Panel’s early 2007 mandate, but has since only provided single entry (and thus longer to process) visas. Panel members have had to leave Sudan early because they were unable to obtain visa extensions.<sup>221</sup> The Panel explained that “such delays are extremely time-consuming to the Panel and directly impede the overall work-plan in an already time-constrained environment.”<sup>222</sup> In October 2008, the Panel on Sudan reported that multiple-entry visas had been inconsistently granted, but would be of great assistance to the Panel in expediting its work.<sup>223</sup>

Other Panels have been harassed by government authorities and rebel groups who pressure them to leave or impede their investigations to the point that their trip is rendered useless. According to the

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<sup>212</sup> S/2006/525, para. 41. This visit eventually took place. Author correspondence, UN Secretariat, December 2008.

<sup>213</sup> Ibid., para. 197.

<sup>214</sup> S/2007/423.

<sup>215</sup> S/2006/53, para. 188.

<sup>216</sup> S/2007/423, para. 27.

<sup>217</sup> S/2006/795, paras. 59-60.

<sup>218</sup> S/2007/584, paras. 50-54.

<sup>219</sup> United Nations, *Report of the Group of Experts on the Democratic Republic of the Congo*, S/2004/551, 15 July 2004, para. 9.

<sup>220</sup> Author correspondence, Panel member, December 2008.

<sup>221</sup> S/2006/795, para. 64. The Panel reported this problem continued through the second half of its 2007 mandate; S/2007/584, Recommendations.

<sup>222</sup> Ibid., para. 64.

<sup>223</sup> S/2008/647, para. 21.

Sanctions Committee on Sudan, three Panel members, a UN Department of Security Coordinator, and Sudanese military personnel were involved in two security incidents at Sudan's El-Fasher airport in Darfur in September and November 2005. The Panel reported that it "was harassed and detained by Sudanese military intelligence in Darfur."<sup>224</sup> In response to these incidents, the Chairman of the Sanctions Committee reminded Sudan that Panel members and UN personnel benefit from the Convention on the Privileges and Immunities of the United Nations, which is meant to prevent such incidents.<sup>225</sup>

Overall, countries that fail to cooperate with Panels face few if any consequences. Recent Panel reports have singled out certain member states as uncooperative, which may embarrass them into being more supportive. But the Council needs a more effective means of influencing countries to meet their obligations. In particularly egregious and well-documented cases, the Council should consider imposing secondary sanctions on the relevant parties, an option it has yet to exercise.

## **Budget**

Panels are funded through the DPA, within the account that supports "Special Political Missions" in the UN Regular Budget.<sup>226</sup> The account for Panels of Experts typically has an annual budget of US\$19-20 million (based on data from 2004 to 2009). Of that US\$20 million, sanctions monitoring in Africa costs about US\$5-6 million per year (see Table 3.2).

The General Assembly's Fifth Committee, through its Advisory Committee on Administrative and Budgetary Questions (ACABQ), approves budgets for the Panels, which are submitted by the UN Controller and administered by the DPA.

The DPA submits cost estimates to the UN Controller, who has final say on how much will be requested for the Panels. DPA can also ask the Controller for access to funds for unanticipated activities directed by the Security Council in the event that a Panel is created outside the regular budget cycle.<sup>227</sup>

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<sup>224</sup> S/2006/65, para. 57.

<sup>225</sup> United Nations, *Report of the Panel of Experts to Sudan*, S/2006/543, 19 July 2006, para. 15. The incidents reportedly took place on 21 September and 5 November 2005. Panel members have left their positions because of dangerous working conditions and related challenges.

<sup>226</sup> Special Political Missions are grouped into three clusters: Cluster I includes Special and Personal Envoys, Special Advisers, and Personal Representatives of the Secretary-General; Cluster II includes UN Sanctions Monitoring Teams, Groups and Panels of Experts; and Cluster III includes UN offices, peacebuilding support offices, integrated offices, and the United Nations Assistance Mission in Afghanistan and the United Nations Assistance Mission for Iraq. The UN Regular Budget is funded mainly by assessed contributions. Countries may provide additional, discretionary funding to activities they support.

<sup>227</sup> Such funds are available from the Unforeseen Fund, which supports Council-mandated activities not in the budget.

**TABLE 3.2. UN FUNDING FOR PANELS OF EXPERTS ON AFRICA  
2004-2009**

<b>Activity &amp; Cost</b> <i>in US dollars</i>	<b>2004-2005</b> <sup>228</sup>	<b>2006-2007</b> <sup>229</sup>	<b>2008-2009</b> <sup>230</sup>
<b>Monitoring Group on Somalia</b>			
Salaries/staff cost, two administrative staff	100,300	115,300	95,000
Panel fees, four members	1,275,700	556,200	702,300
Panel travel		361,100	419,000
Operational/logistical support	84,200	153,500	116,200
<b>Total</b>	<b>1,460,200</b>	<b>1,186,100</b>	<b>1,332,500</b>
<b>Panel of Experts on Liberia</b>			
Panel fees (for five experts in 2004-05; four experts in 2006-07; three experts in 2007-08); travel.	1,306,900	1,243,100	422,200
Support, assessing socioeconomic impact of sanctions (includes travel to remote areas)		26,200	348,000
Operational/logistical support	31,700	49,400	26,800
<b>Total</b>	<b>1,338,600</b>	<b>1,318,700</b>	<b>797,000</b>
<b>Group of Experts on the DRC</b>			
Salaries/staff costs, one mid-level Officer	74,400	85,000	148,800
Panel fees for five members, two consultants	805,500	615,600	699,900
Panel travel		630,700	742,300
Staff travel (for the mid-level Officer)	42,100	61,000	54,700
Operational/logistical support (includes local travel)	47,400	31,200	51,000
<b>Total</b>	<b>969,400</b>	<b>1,423,500</b>	<b>1,695,800</b>
<b>Panel of Experts on Sudan</b>			
Salaries/staff costs, two-mid-level Officers, and one administrative staff (local)		276,300	170,300
Panel fees for four members		706,200	911,700
Panel (and consultant) travel		689,800	752,400
Operational/logistical support		151,300	51,000
<b>Total</b>		<b>1,823,600</b>	<b>1,695,800</b>
<b>Group of Experts on Côte d'Ivoire</b>			
Salaries/staff costs, one mid-level Officer		113,700	148,800
Panel fees for four members, one consultant		538,300	583,300
Panel travel		473,700	459,800
Consultant travel		77,400	75,500
Operational/logistical support		20,500	30,500
<b>Total</b>		<b>1,223,600</b>	<b>1,297,900</b>
<b>TOTAL, Panels for Monitoring of Sanctions in Africa</b>	<b>3,768,200</b>	<b>5,772,400</b>	<b>5,621,400</b>

Funding issues have constrained the use and effectiveness of the Panels and the DPA. Indeed, the problem of funding has also been raised in the Panels' reports themselves. The Panel on Sudan twice reported (in 2006) that inadequate funding had prevented it from using the "full additional personnel resources it requested" and from hiring an Arabic translator.<sup>231</sup> Similarly, when the Security Council renewed the DRC Group's mandate in July 2006, requested the Secretary-General to provide the Group

<sup>228</sup> United Nations, *Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council, Report of the Secretary-General, Addendum, A/59/534, Add.1, 23 November 2004.* The Panels on Sudan and Côte d'Ivoire only began in the 2006-2007 biennium.

<sup>229</sup> United Nations, *Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council, Report of the Secretary-General, A/61/525/Add.2, 7 November 2006.*

<sup>230</sup> United Nations, *Estimates in respect of special political missions... authorized by the General Assembly and/or the Security Council, Report of the Secretary-General, Addendum, A/63/346/Add.2, 11 September 2008.*

<sup>231</sup> S/2006/65, para. 76; S/2006/795, para. 65.

with additional funds to improve its capacity to fulfill its mandate.<sup>232</sup> In spring 2006, the possibility of a UN shutdown over a major budget impasse further impeded one Panel's work. The Group on Côte d'Ivoire was unable to send consultants to follow important leads in the region because the Secretariat was uncertain as to whether it would have sufficient funds left for other required activities.<sup>233</sup> The Informal Working Group on General Issues of Sanctions recognized these challenges, and recommended in its December 2006 report that Panels be properly funded and staffed.<sup>234</sup>

The sanctions monitoring for Africa and for Al-Qaida and the Taliban is funded as "an expense of the Organization and through an United Nations Trust Fund established for this purpose," to which states can contribute.<sup>235</sup> Table 3.3 details funding for the Monitoring Team on Al-Qaida and the Taliban as well as associated efforts to build capacity to apply these resolutions (the Counterterrorism Executive Directorate of the 1373 Counterterrorism Committee) and manage weapons of mass destruction (1540 experts). These efforts are generally much better funded and staffed than other UN monitoring regimes. These expert teams work very closely with the corresponding committees to assess the capacity gaps of nations to meet their UN obligations.

Today, the Panels for Africa highlight many of these same capacity gaps of nations to uphold sanctions. But those Panels lack a link to formal mechanisms (as exist for counterterrorism) to match member state requirements with donor assistance. Without such capacity, the ability of nations affected by targeted sanctions to achieve the objective of those sanctions—building peace and security—is in question. The international community's thin funding for such UN sanctions implementation undermines its own stated desire to see these measures be effective.

### United Nations Sanctions Staff

Within the DPA, Panels are supported by the Subsidiary Organs Branch of the Security Council Affairs Division, which provides key substantive and administrative support. As of January 2009, the Subsidiary Organs Branch (the Branch) was supporting six expert groups—those for Côte d'Ivoire, DRC, Liberia, Somalia, Sudan, and on Al-Qaida and the Taliban. The Branch's staff of 19 is small: one section chief, eight professional staff (Political Affairs Officers), and ten general service administrative support staff.<sup>236</sup> This permanent staff is sometimes augmented by Junior Professional Officers (JPOs), who are sponsored by member state governments, usually with limited time assignments.<sup>237</sup> In terms of staff costs, Subsidiary Organs Branch staff is budgeted at just under US\$12.5 million in 2006-2007 and just over US\$13.7 million for 2008-2009.<sup>238</sup>

<sup>232</sup> UN Security Council Resolution 1698, S/RES/1698, 31 July 2006.

<sup>233</sup> Author interview, June 2006.

<sup>234</sup> S/2006/997, para. 5.

<sup>235</sup> UN Security Council Resolution 1363, S/RES/1363, 30 July 2001, para. 9.

<sup>236</sup> United Nations OIOS, E/AC.51/2007/2/Add.2, op. cit., para. 9. With 220 staff in the DPA overall, the SCAD has a total of 52 staff: 3 in the Office of the Director; 19 in the Subsidiary Organs Branch which deals with Sanctions Committees and Panels; 19 in the Security Council Secretariat Branch; 9 in the Security Council Best Practices and Charter Research Branch; and 2 in the Military Staff Committee Secretariat.

<sup>237</sup> Data as of June 2008; see United Nations, *Revised estimates relating to the proposed program budget for the biennium 2008-2009 under section 1, Overall policymaking, direction and coordination, section 3, Political affairs, section 28D, Office of Central Support Services, and section 35, Staff assessment, related to the strengthening of the Department of Political Affairs, A/62/7/Add.32*, 15 January 2008, para. 6. As of January 2009, the data was still valid; Author interview, UN official, January 2009.

<sup>238</sup> United Nations, *Revised estimates relating to the proposed program budget for the biennium 2008-2009 under section 1, Overall policymaking, direction and coordination, section 3, Political affairs, section 28D, Office of Central Support Services*,



**TABLE 3.3. UN FUNDING FOR MONITORING IMPLEMENTATION OF COUNTERTERRORISM MANDATES  
2004-2009**

<b>Activity &amp; Cost</b> <i>in US dollars</i>	<b>2004-2005</b> <sup>239</sup>	<b>2006-2007</b> <sup>240</sup>	<b>2008-2009</b> <sup>241</sup>
<b>Analytical and Monitoring Support for Al-Qaida/Taliban</b>			
Salaries/Staff Costs for ten positions (one senior level, four mid-level Officers, and five administrative staff)	1,072,300	1,137,700	1,211,000
Monitoring team fees (eight members)	1,725,800	1,357,900	1,508,400
Monitoring team travel		437,400	552,800
Travel, the Committee and staff	401,400	272,900	307,300
Other operational and logistical support	404,800	442,900	384,200
<b>Total</b>	<b>3,604,300</b>	<b>2,511,100</b>	<b>2,752,700</b>
<b>Support for 1540 Committee</b>			
Salaries/Staff costs for three positions (two mid-level, one administrative staff), and one of the eight experts (in the last two years)	322,300	598,600	661,900
Fees, seven experts	1,195,800	1,264,800	1,420,100
Expert travel		82,600	212,300
Official travel, Committee Chair and members, meetings	25,000	57,700	No data
Official travel, Committee members and staff, outreach		32,700	
Other operational and logistical support	193,200	152,700	166,300
<b>Total</b>	<b>1,736,300</b>	<b>2,189,100</b>	<b>2,717,900</b>
<b>Counterterrorism Executive Directorate (CTED)</b>			
Salaries/common staff costs for 34 positions, 2004-05; 35 positions, 2006-07; and 35 positions, 2008-09	4,877,200	5,412,700	6,033,500
General temporary assistance with database analysis and other consultancies	190,400	303,400	No data
Travel costs for CTED	963,800	798,900	870,000
Facilities and infrastructure (office rental in 2007)	856,900	875,900	882,400
Communications		149,800	98,000
Information technology		65,300	72,200
Other supplies and equipment		112,800	32,900
<b>Total</b>		<b>6,888,300</b>	<b>7,718,800</b>
<b>TOTAL, Counterterrorism Related Special Political Missions</b>	<b>12,228,900</b>	<b>12,419,000</b>	<b>12,459,600</b>

Committee Secretaries in the Subsidiary Organs Branch lead the teams that assist expert panels. Each team consists of professional and administrative staff and provides support to at least two panels. Teams are sometimes augmented by staff hired to assist specific Panels (these are the staff listed in the budget tables above). The experts on the Côte d'Ivoire and DRC Panels receive full-time support from a Political Affairs Officer, whose functions include research, report-writing, and field work. A single Political Affairs Officer provides these functions to the Sudan and Somalia experts. Experts based in the field (the Sudan Panel in Addis Ababa and the Somalia Monitoring Group in Nairobi) receive additional

and section 35, *Staff assessment, related to the strengthening of the Department of Political Affairs*, A/62/521, 2 November 2009, Table 12.

<sup>239</sup> United Nations, *Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council, Report of the Secretary-General*, A/59/534/Add.1., 23 November 2004.

<sup>240</sup> A/61/525/Add.2.

<sup>241</sup> United Nations, *Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council, Report of the Secretary-General, Addendum*, A/63/346/Add.2, 11 September 2008.

assistance from locally hired national staff. As seen in Table 3.2 above, the Monitoring Group on Somalia receives additional support from two administrative staff and the Panel on Sudan receives support from an administrative support staff at their base in Addis Ababa. The long-standing Panel on Liberia did not have this type of added support.

The Branch staff performs two main sanctions monitoring support functions for the Council: it supports the Security Council Sanctions Committees (SACOs) and if applicable, the relevant Panels. Sanctions Branch staff support to the SACOs includes providing advice on Committee practice and precedent; drafting support documentation for meetings, briefings, and implementation of Committee decisions; and providing institutional memory for the Committee's work. Committee Secretaries work closely with the Chairs of the Sanctions Committees, and coordinate their trips to the region.

On the administrative side, the Branch helps Panels by making travel arrangements, obtaining visas, and providing other administrative assistance. The SCAD staff arranges for their expenses to be reimbursed and makes sure experts comply with regulations. For example, the Branch must approve all expert travel to ensure that it is for legitimate, mandate-fulfilling purposes. Experts report, however, that in some cases they have to make their own travel arrangements and that the DPA takes long periods of time to provide reimbursement for experts' out of pocket expenses. On the substantive side, the professional SCAD staff review reports, and provide research and advice on methodology and evidentiary standards, as well as on interactions with the press and with member states.

Understandably, efforts to improve the effectiveness of UN targeted sanctions, their implementation, and their monitoring have long identified UN staffing as insufficient to support this enterprise. Despite the growth between 2001 and 2008 in the number of Panels (from 3 to 6), and in experts (from 15 to 29), the staff of the Branch has not expanded.<sup>242</sup>

The Panels, as well as various UN bodies and outside analysts have recognized this problem. As early as 2001, the Panel on Liberia called for additional DPA funds and recommended that each Panel be assigned a Political Affairs Officer to support it.<sup>243</sup> The DRC Group openly called for "the Secretariat [to] receive the necessary financial and administrative capacity in sufficient time to support the Group in its endeavors."<sup>244</sup> In 2003, the Stockholm Report found that the Branch was inadequately funded to support its duties.<sup>245</sup> In December 2006, the report of the Informal Working Group on General Issues of Sanctions proposed that the Security Council "request the Secretary-General to explore ways to ensure that the Secretariat is adequately staffed to fulfill effectively its mandated tasks."<sup>246</sup> In March 2007, an OIOS audit of the Branch also recommended provision of added human resources to help the Branch support the Panels and the Sanctions Committees.<sup>247</sup> Later in 2007, the General Assembly's Committee for Program and Coordination endorsed that recommendation.<sup>248</sup> As a result, the Secretary-General requested three new posts in the Division: one Political Affairs Officer at the P-3 mid-level, and two at the P-2 junior level. In January 2008, the General Assembly's ACABQ recommended the creation of

<sup>242</sup> Author interview, UN official, January 2007; email correspondence, December 2008.

<sup>243</sup> United Nations, *Report of the Panel of Experts on Liberia*, S/2001/1015, 26 October 2001.

<sup>244</sup> S/2006/525, para. 220.

<sup>245</sup> Stockholm Process, paras. 28, 46; United Nations, OIOS, E/AC.51/2007/2/Add.2.

<sup>246</sup> S/2006/997.

<sup>247</sup> United Nations, OIOS Audit No. AP2005/560/03.

<sup>248</sup> A/62/521, para. 306. The Committee for Program and Coordination is the main subsidiary organ of the Economic and Social Council and the General Assembly for planning, programming and coordination.

one P-4 mid-level position, as well as the two junior level posts, but rejected the addition of another P-3 officer.<sup>249</sup>

Implementing a modest increase, however, is unlikely to fully address the expansion in the Panels' monitoring of targeted sanctions with sufficient professional backing or to provide each expert group and sanctions committee with their own, dedicated DPA professional staff to support their work. If the Security Council continues expanding use of these Panels, the General Assembly should act faster to increase the support staff accordingly. Efforts to increase the DPA staff for sanctions work have faced political and financial obstacles. Some nations are reluctant to foot the bill for added staff; others are politically ambivalent about sanctions. The decision to bolster their financial and human resource support to the Panel may depend on the recognition of Panel's importance as sanctions monitors and providers of actionable recommendations by member states.

Beyond expansion, the Branch would benefit from more clarity concerning its mandate. Indeed, the OIOS audit found that "there is no explicit mention of the Branch's function with regard to experts groups in the Secretary-General's bulletin on the organization of the Department of Political Affairs," and that "staff [is] not aware of documents delineating the relationship between the Division and the Executive Office regarding the Group's administration."<sup>250</sup> Nonetheless, the OIOS found that 71 percent of expert group respondents said administrative support from the Branch was most important to their work, and of those 24 percent of experts felt orientation was most helpful and 24 percent felt the most important part of the Branch's work was helping the experts communicate with individuals and entities during their research. Additionally, the OIOS found that the experts were more satisfied with the substantive support they received from the Branch than with the administrative support, though they found the administrative support more important to their work. Security Council members rated the Branch highly overall but gave lower ratings concerning the division's monitoring of sanctions developments and drafting reports.<sup>251</sup> Administrative support therefore seems like an area where the Branch's performance could improve, along with monitoring of sanctions development and sanctions reports.<sup>252</sup>

### **Working with the Sanctions Committees**

SACOs are made up of the countries serving on the Security Council and are usually chaired by a non-permanent member of the Council. Sanctions Committees vary in how much public information they provide and the degree to which they work with the Panels. Indeed, committees range in focus and in ability to devote time and resources to their work. Committees chaired by states with larger mission staffs are better able to support Panels and their program, to travel to targeted states, and can more easily staff the Committee with support from their Permanent Mission beyond that provided by the Branch.<sup>253</sup> Finally, the level of member states' involvement depends upon their commitment to a given set of sanctions.

While Committees meet with Panels at the beginning, mid-point, and end of their mandates, SACOs reportedly provide uneven support to Panels. Before reports are submitted to the Council, relevant

<sup>249</sup> Ibid., para. 308 details the Secretary-General's request for additional personnel. See also, A/62/7/Add.32, para. 78.

<sup>250</sup> E/AC.51/2007/2/Add.2, para. 16, footnote 17.

<sup>251</sup> Ibid., para. 22.

<sup>252</sup> Ibid., paras. 26, 44. Author interviews, Panel members, spring and summer 2006, December 2008.

<sup>253</sup> Author interviews, UN official, spring 2006.

paragraphs may be shared with individual Committee members to give them an opportunity to respond to allegations of violations.<sup>254</sup> Another important Committee function is to maintain the list of those individuals and entities sanctioned and to consider and grant exemptions to the sanctions. Committees remind states, by sending *notes verbales*, of their sanctions obligations under the relevant resolutions.

As mentioned earlier, the Chair of the Sanctions Committee can play a crucial role. This was demonstrated with the Angola Panel, when its Chair, Ambassador Robert Fowler of Canada, instructed Panel members to name (and thus shame) responsible individuals. Fowler personally and frequently traveled to the region, taking an active part in the investigations and in the writing of the report.<sup>255</sup> Similarly, members of the Liberia Panel felt the visit of the Chair of the Liberia SACO increased their credibility in the eyes of the local authorities.<sup>256</sup>

The Stockholm Report suggested improving the understanding of and support for targeted sanctions by having SACOs detail to countries their rationale and what the Council expects from them in terms of implementation. It recommended that SACOs better explain to countries not serving on the Council the purpose and obligations stemming from sanctions; how to manage targeted sanctions lists and deal with sanctions violations; as well as how the Council minimizes the socioeconomic impact of sanctions. The Stockholm Report suggested that communications should be delivered as mass media press releases, but also by individual meetings with the most relevant states.<sup>257</sup>

The Working Group on General Issues of Sanctions, along with the Security Council, further recommended that chairs of SACOs visit the country targeted by the sanctions.<sup>258</sup> The Working Group also urged that the Committees improve their working methods by sharing information with each other, harmonizing guidelines across the Committees, engaging the media and international community on the role of sanctions, and interacting frequently with member states (both those subject to sanctions and the wider international community).<sup>259</sup> The Working Group added that SACOs should make reporting on implementation easier by providing member states with a form to describe relevant actions. The Working Group, like the Stockholm Report before it, recommended that SACOs play a role in helping nations build capacity to implement resolutions, as the Counterterrorism and 1540 (weapons of mass destruction) Committees currently do.<sup>260</sup>

As described earlier, however, the ability of the Committees to communicate and work with member states is constrained by the resources available to them. Indeed, only the UN committees that deal with terrorism have specific budgets for “operational and logistical support” for Committee work. The Counterterrorism Executive Directorate (CTED), for instance, had US\$112,800 budgeted in 2006-2007 for information technology needs, and almost US\$50,000 in 2008-2009 for communications.

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<sup>254</sup> Author correspondence, DPA staff, November 2008.

<sup>255</sup> Alex Vines, “Monitoring UN Sanctions in Africa: the Role of Panels of Experts,” p. 251.

<sup>256</sup> Author interview, Panel member, December 2008.

<sup>257</sup> Stockholm Process, paras. 23-24.

<sup>258</sup> S/2006/997; United Nations, *Note by the President of the Security Council*, S/1999/92, 29 January 1999.

<sup>259</sup> S/2006/997, paras. 13-17.

<sup>260</sup> *Ibid.*, paras. 13-16. The Working Group also specifically recommended that SACOs should send their harmonized guidelines to member states by *note verbale*, that states should be invited to seek and/or provide technical support, etc.; Stockholm Report, para. 26.

In contrast, less institutional support is provided to SACOs for Africa. The chairs and members of the committees are thus less likely to travel to the targeted countries, for example, or perform other activities deemed essential to the counterterrorism committees. In some cases, the lack of adequate funding has been an impediment. In other cases, however, even with funding available, SACO Chairs and members have not expressed interest in traveling to the relevant regions. If the Security Council and General Assembly are committed to effective use of sanctions and their implementation, and recognize the link between increasing state governance capacity to uphold sanctions as they have with the counterterrorism committees, then resources are needed to back up that goal.

### **Methodology and Standards of Evidence for Panel Reports**

As described, Panels provide detailed pictures of sanctions violations and threats to peace and security in the regions they visit. Thus information in Panel reports must be beyond reproach. Their reports can point to government activities and describe how senior officials play a key part in fuelling conflict. Such information is not merely controversial; it can motivate the Council to levy sanctions against a certain type of behavior, an individual, or a country. While written by independent consultants, the reports are published by the United Nations and are expected to be a source of reliable political and economic information on the relevant country. Poorly evidenced reports or sensationalist claims reflect badly on the organization and undermine the Council's objectives in creating the Panels. Further, the reports may be used for prosecutions of alleged violators.

While Panel reports may vary in how they affirm their findings, they must be clear about which data is confirmed and which is not, especially if information is controversial or uncertain. One inherent challenge in doing so is the nature of their sources. To operate effectively, Panel members collect information from individuals after building trust with those close to the conflict, or with those who know about illicit activities and sanctions-violating activities. Ideally Panels seek confirmation by at least two independent and verifiable sources (much like reliable journalism).<sup>261</sup> Since Panel members depend in large measure on confidential sources, finding a confirmable second source is often difficult, particularly given their time-frame. Experts serve as the judge of any given source's reliability (and not all experts agree on that reliability).<sup>262</sup> Panel members note that they are not trained to treat data as one would for introduction in a court of law. For longer-standing Panels, experts may develop a record of a source's past reliability that can better inform judgments about whether new evidence should be included in subsequent reports.

As we have seen, while OLA and the DPA Sanctions Branch provide some guidance, experts report it to be uneven. Nonetheless, DPA and OLA officials emphasize that experts must maintain the confidentiality of their findings and put the interest of the United Nations first. Their briefings emphasize the importance of maintaining high standards of evidence. OLA provides guidance on how to build a case file, and then makes itself available for any specific questions Panel members might have during the mandate. Indeed, information gathered by Panels is increasingly used in legal proceedings and experts may be asked to testify in court. If so, OLA has emphasized that experts can testify, with the Secretary-General's permission, with full immunity from prosecution and do not require legal representation at such hearings. The United Nations also wants to ensure that experts maintain a high standard for inclusion of evidence in Panel reports to protect the United Nations from legal recourse that

<sup>261</sup> Stockholm Process, paras. 86-89. Author interviews, Panel members and UN officials, May-June 2006, December 2008, January 2009.

<sup>262</sup> Author interviews, Panel members, May-June 2006, December 2008, January 2009.

could be sought by individuals and entities named in the report. Indeed, individuals and organizations have recently attempted to sue the United Nations for what they consider inaccurate and unfair portrayal of their activities in Panel reports.<sup>263</sup>

### Legal Questions in Identifying Sanctions Violations

Few Panel members are lawyers or experts in interpreting Security Council resolutions. During investigations, some need help determining whether the information they gather qualifies as a potential sanctions violation that should be reported. For guidance and/or clarification on the definitions of sanctions violations, Panel members may seek informal advice from DPA or OLA. Panels may also seek a definitive answer by writing to the Sanctions Committees, but Panel members report that Committees are not always timely in responding to these requests. The Group of Experts on Côte d'Ivoire, for instance, wrote to the Sanctions Committee on 12 April 2006 seeking clarification concerning definition of the embargo on weapons. The Committee replied on 13 June 2006, halfway through the Group's mandate.<sup>264</sup>

A potential improvement is the development of a handbook for UN Panels that addresses the many functional, legal, and procedural areas in which they operate. Such a handbook (separate from the handbook developed by the Sanctions Branch on administrative aspects of expert work) could also help standardize Panels' investigative and reporting methodologies across memberships and regions.<sup>265</sup> The only handbook so far for Panels on how to conduct their investigation is one by the UN Office for the Coordination of Humanitarian Affairs (OCHA) that identifies procedures for assessing the humanitarian impact of sanctions.<sup>266</sup> Panels may use OCHA guidelines if they find them appropriate or useful. One former Panel member, whose mandate did not include socioeconomic assessments, had not received or read OCHA's manual.<sup>267</sup> The expert on the Liberia Panel charged with this aspect of the mandate reportedly read the manual but in the end decided not to use its methodology.<sup>268</sup> The manual's usefulness for Panels is therefore uncertain. Beyond a handbook which could integrate existing guidance and cover all aspects of Panel activities, more systematic training on standards of evidence and methodology would be helpful.

### An Information Database

During their mandates, experts are asked to maintain files of documents they use in their reports. A main concern is the need to maintain the data's confidentiality and integrity in case they need to be used in court proceedings. Because some files contain information from confidential sources, experts must also note the reliability of their sources. In response to concerns about archive management, Panel mandates have also been extended by about five days (starting in 2007) so that experts have enough time to properly organize their materials and collect lessons learned during their mandate.<sup>269</sup> Panel

<sup>263</sup> Author interviews, UN officials, January 2007. The lawsuits seemingly did not proceed.

<sup>264</sup> S/2006/735, para. 16.

<sup>265</sup> The Stockholm Report recommended procedural guidelines for sanctions monitoring: liaising with the Sanctions Committees, the Secretariat, UN agencies, and the media; creating work-plans and field visits; setting common standards for evidence of violations; and evaluating the source reliability. Stockholm Report, para. 37.

<sup>266</sup> Manuel Bessler, Richard Garfield, and Gerard McHugh, *Sanctions Assessment Handbook: Assessing the Humanitarian Implications of Sanctions*, OCHA in coordination with the United Nations Inter-Agency Standing Committee, October 2004, available at [www.humanitarianinfo.org/sanctions/handbook/docs\\_handbook/iascsanchb.pdf](http://www.humanitarianinfo.org/sanctions/handbook/docs_handbook/iascsanchb.pdf).

<sup>267</sup> Email correspondence, Panel member, May 2008.

<sup>268</sup> Email correspondence, Panel member, July 2007.

<sup>269</sup> United Nations Office of Internal Oversight Services, OIOS Audit No. AP 2005/560/03, *Recruitment of Experts for Sanctions Panels in the Department of Political Affairs*, 24 May 2006, 9.

archives, according to the contracts the experts sign, are UN property.<sup>270</sup> Once Panels are disbanded, the UN Secretariat becomes the repository for these archives. Finally, some information uncovered by Panels might be too sensitive to be publicly released or even made available beyond the Panel itself. As a result, archives from the terminated DRC Panel (on the illegal exploitation of natural resources) will remain classified for the next 20 years.<sup>271</sup>

An endemic and troubling issue for UN Panels is the inaccessibility of previous Panels' investigative data. There is no central database for the information that experts collect. Neither is there a central UN knowledge management system nor a systematic means of filing evidence within the UN Secretariat; the Secretariat facilitates a hand-off of information at the beginning of each new mandate. In the field, Panels have initiated efforts to improve data storage and management. The DRC Group used a database to manage its information, reporting in 2005 that it had "greatly benefited" from a new database management system based on a "three-pronged approach," described as:

...the introduction of a source code and information rating system to allow the Group to confidentially track sources and to judge the quality of the information collected, as recommended in the Stockholm Process...; the building of a document-tracking system with a unique identifier for each document, which is subsequently maintained in the Group's archive; and the establishment of a real-time database of key data elements that can be used as an information indexing system to facilitate the retrieval of data or to search for related data elements.<sup>272</sup>

Such databases support the efforts of specific Panels, but are not linked with a common interface to other systems for either longer-term information-sharing or for coordination with other Panels. This limitation hampers future Panel members from saving time and resources, and from accessing valuable information.

Some members have recommended a computer-based, searchable database to allow experts serving on UN Panels—as well as other staff who could use the information in support of the Sanctions Committee's work—access to the same information.<sup>273</sup> The database could address some sharing requirements but could still allow experts to restrict dissemination of data before a report is published.<sup>274</sup> The Monitoring Team on Al-Qaida and the Taliban employs an information database for storing information about sanctions violations, individuals on the Consolidated List, and other information. The Team has also allowed data-sharing with the Counterterrorism Executive Directorate and the 1540 Committee experts, allowing all three structures to share trip reports and other similar information.<sup>275</sup>

A searchable database, accessible to all Panels would make it easier to track actors potentially involved in violations across several war-torn regions. International arms dealers like Victor Bout, a perpetrator of arms trafficking throughout Africa, for example, could be better monitored. According to the Panel on Sierra Leone, Bout supplied weapons in Angola, the DRC, Liberia, and Sierra Leone. He used over 50 planes, most illegally registered in Liberia to transport weapons from Eastern Europe to Liberia.<sup>276</sup>

<sup>270</sup> Author correspondence, UN official, November 2008.

<sup>271</sup> Author interviews, Panel member and UN officials, January and March 2007.

<sup>272</sup> S/2005/30, para. 13.

<sup>273</sup> S/2006/997, para. 12; Stockholm Process, para. 71; Author interviews, Panel members, June 2006, December 2008.

<sup>274</sup> Author interviews, Panel members, spring 2006, December 2008.

<sup>275</sup> Author correspondence, UN official, August 2007.

<sup>276</sup> S/2000/1195, para. 27.

Panels on Liberia and the DRC also uncovered evidence of his activities and arms trafficking in multiple countries, but that evidence was not easily available in one place, making access to the information, and analysis of it, much more difficult.<sup>277</sup> It is noteworthy that even the US government and others either did not recognize the notorious Bout as an individual on the Liberian sanctions list or decided to ignore the fact because his services were helpful for the operation in Iraq.<sup>278</sup> As a result, the US government hired his company, Irbis, in 2004 to support air cargo deliveries to Iraq.<sup>279</sup>

#### **AN INFORMATION MANAGEMENT DATABASE: A POSSIBLE SOLUTION?**

In September 2006, the Canadian government launched a study to analyze requirements for addressing the information management problem from a technical (software) perspective. The evaluation included interviews with 10 Panel members, and discussions with the Security Council Affairs Division within the DPA and the OLA at the UN Secretariat. Canada subsequently offered the DPA a report outlining strategies for collecting and storing Panel-related information, including several options for the technical design and implementation of such an information management system. In December 2006, the Canadian government's interim report recommended that the SCAD and Panels use a custom-designed database to manage the data Panels collect. In December 2008, a meeting was organized to discuss the system's structure and capacities. It will be designed to help with handover/takeover between Panels and individual experts, help the experts build on information that cannot be included in reports (because the investigation has not yet progressed to the point where it would be appropriate to do so), help track correspondence, help the experts respond to requests for documentation about information contained in reports, and help increase sharing and cooperation between experts and Panels. Finally, the system will provide a secure platform for cooperation and communication among Panels in the field and for the Secretariat to maintain custody of the information gathered by the Panels.

*Source:* Author interviews, Canadian and UN officials, 2007-2008; discussions, 5 December 2008 workshop on targeted sanctions at the Canadian Permanent Mission to the United Nations.

An added consideration is how governments interested in upholding sanctions or using data to investigate and to prosecute potential violators could use access to a searchable database. A more public collection of data about individuals who violate UN sanctions could be evaluated and made available across Panel reports. This, in turn, could serve to support better monitoring and implementation of sanctions and to facilitate quicker and more effective prosecution of violators.

### **Working with International Organizations**

In conducting their research, experts sometimes work with international or regional organizations that share work related to similar topics, particularly the International Civil Aviation Organization (ICAO), International Air Transport Association (IATA), World Customs Organization (WCO), Interpol, and the Kimberley Process, among others.

<sup>277</sup> For more on Victor Bout, see Farah and Braun 2007, op. cit..

<sup>278</sup> Ken Silverstein, "Six Questions for Steve Braun on Gunrunner Viktor Bout," *Harpers*, July 2007, pp. 2-3.

<sup>279</sup> Farah and Braun 2007, op. cit., pp. 219-22. Farah and Braun point out that the United States and the United Kingdom fought Bout's inclusion on the list but that their officials denied any knowledge of Bout's involvement in Iraq.



Air traffic is one area of extensive cooperation. UN Panels have met with WCO officials to discuss the role of customs in monitoring sanctions violations.<sup>280</sup> Indeed, the WCO maintains an accessible database for communication and cooperation among customs officials—an essential tool for travel ban, arms, and commodity embargo implementation.<sup>281</sup> After the DRC Panel members met with WCO officials in 2006, the WCO promised to send an evaluation mission to the DRC.<sup>282</sup>

Experts from the Liberia Panel met with ICAO officials in Montreal to discuss the problem of unregistered (or improperly registered) Liberian aircraft.<sup>283</sup> Concerning Somalia, the ICAO confirmed that a flight from Asmara, Eritrea, had indeed delivered a shipment of weapons to Mogadishu, which Eritrea continues to deny.<sup>284</sup> The Monitoring Team of the 1267 Committee also worked with the ICAO to ensure that as many states as possible developed machine readable (and thus more tamper-proof) passports to enforce travel bans.<sup>285</sup>

Travel by sea also concerns Panels. The International Maritime Organization (IMO) has helped increase cooperation on the potential role of commercial shipping in sanctions violations.<sup>286</sup> In October 2004, the Monitoring Group on Somalia met with officials at the IMO headquarters in London to brief its Secretary-General on the Group's recommendation to create a coastline monitoring program for Somalia, a recommendation which the IMO Council later endorsed.<sup>287</sup>

Coordination with law enforcement to support UN travel bans and to identify those who run illicit networks has also connected Panels with Interpol. Several Panels have asked Interpol to track information for them, such as on the DRC, Liberia, and Sierra Leone, and on Al-Qaida and the Taliban.<sup>288</sup> Early on, Ambassador Fowler worked closely with Interpol, which helped the Angola Panel by conducting criminal background checks on arms dealers and brokering companies suspected of violations.<sup>289</sup> Several Liberia Panel members were experienced Interpol investigators.<sup>290</sup> The Panel on Liberia worked with Interpol to monitor small arms in the ECOWAS member states.<sup>291</sup> In 2004, the Liberia Panel met with Interpol representatives from the Regional Bureaus Management Directorate and the Interpol Weapons and Explosives Tracking Systems to discuss how their resources could be better used to implement UN sanctions. Several Panels have also traveled to Interpol's Secretariat in Lyon, France for consultations.<sup>292</sup> According to a 1267 Sanctions Committee report in 2006, the SACO's

<sup>280</sup> The Monitoring Group on Somalia held a two-day meeting with the WCO in December 2004. See United Nations, *Report of the Monitoring Group on Somalia*, S/2005/153, 9 March 2005, paras. 95-99.

<sup>281</sup> Gerber and Lopez, in Wallenstein and Staibano 2005, *International Sanctions*, op. cit., p. 150.

<sup>282</sup> S/2006/525, para. 190.

<sup>283</sup> See also S/2001/1015, paras. 6-7; Gerber and Lopez, in Wallenstein and Staibano 2005, *International Sanctions*, op. cit., pp. 11-12, 85, 148.

<sup>284</sup> United Nations, S/2007/436, paras. 15-18.

<sup>285</sup> United Nations, *Fourth Report of the Monitoring Team*, S/2006/154, paras. 97-101.

<sup>286</sup> S/2006/525, para. 151.

<sup>287</sup> S/2004/604; S/2005/153, paras. 91-92, 195.

<sup>288</sup> David Cortright, Linda Gerber, and George Lopez, "The Role of International Organizations" in Peter Wallenstein and Carina Staibano (eds.), *International Sanctions: Between Words and Wars in the Global System* (London: Frank Cass, 2005), pp. 148-149; Author interview, Panel member, July 2006.

<sup>289</sup> United Nations, *Supplementary Report of the Monitoring Mechanism on Sanctions against UNITA*, S/2001/966, 12 October 2001, para. 117.

<sup>290</sup> United Nations, *Letter dated 5 March 2002 from the Secretary-General addressed to the President of the Security Council on the re-establishment of the Panel of Experts on Liberia*, S/2002/237, 6 March 2002; S/2006/379, para. 16.

<sup>291</sup> United Nations, *Report of the Panel of Experts to Liberia*, S/2002/1115, 24 October 2002, para. 106.

<sup>292</sup> United Nations, *Report of the Panel of Experts to Liberia*, S/2004/955, 6 December 2004, paras. 92-94.

Chair briefed the Interpol Secretary-General as well as Interpol's Special Representative to the United Nations about its activities.<sup>293</sup>

To help nations track and detain suspected terrorists, Interpol cooperated closely with the Monitoring Team for Al-Qaida and the Taliban and the 1267 Sanctions Committee to create the Security Council Special Notices. This "Interpol-United Nations Security Council Special Notice" is disseminated through Interpol's network, which provides law enforcement officials around the world with information on individuals placed on the Committee's Consolidated List.

Because this cooperation has been so productive, the Security Council has asked the Secretary-General and Interpol to work together to help the Council develop tools to better implement sanctions, in particular assets freezes, travel bans, and arms embargoes.<sup>294</sup> Interpol has also created a "Stolen and Lost Travel Document Database," of which 125 states were members.<sup>295</sup>

In his April 2008 report on small arms, the Secretary-General noted the increased use of Interpol's Special Notices by various monitoring groups but suggested that Panels more systematically share both their reports and the documentation they gathered with Interpol (and other international organizations with an interest in the information) for usefully "identifying trends, criminality, and the *modus operandi* of illicit arms traffickers, which may be of use to the investigative authorities of member states."<sup>296</sup> Increased cooperation between Interpol and the various sanctions monitoring bodies, especially if more systematic, could usefully develop common procedures for counterterrorism efforts and for measures to combat illicit trafficking and financial transactions.

The Panels on Côte d'Ivoire and Liberia worked closely with the Kimberley Process (KPCS). The Kimberley Process Working Group on Côte d'Ivoire helped the country's Group of Experts conduct an aerial survey as well as a joint field mission of mining areas in April 2006.<sup>297</sup> In March 2007, the Group also traveled with a Kimberley Process mission to Ghana to help assess that country's progress towards implementing KPCS recommendations for applying the embargo on Ivorian diamonds.<sup>298</sup> In July 2007, the Group met with officials at the KPCS and World Diamond Council headquarters in Belgium.<sup>299</sup> In 2008, the Panel met with the KPCS Chair in India and then with the head of the Process' review team in Belgium. As during its previous mandate, the Côte d'Ivoire and Liberia Panels and the KPCS review visited Liberia together in late April 2008.<sup>300</sup> The Panels will continue to work with the Kimberley Process, which should help these countries increase their compliance with international diamond-trading regulations. Even with this cooperation, Panel members also acknowledged that they could do more to

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<sup>293</sup> United Nations, *Fifth Report of the Monitoring Team on Al-Qaida and the Taliban*, S/2004/1039, 31 December 2004, para. 14.

<sup>294</sup> UN Security Council Resolution 1699, S/RES/1699, 8 August 2006.

<sup>295</sup> United Nations, *Eighth Report of the Monitoring Team on Al-Qaida, the Taliban, and Associated Entities*, S/2008/324, 14 May 2008, para. 59.

<sup>296</sup> S/2008/258, para. 65-66.

<sup>297</sup> S/2006/735, paras. 131-133.

<sup>298</sup> S/2007/611, para. 76; United Nations, *Report of the Group of Experts to Côte d'Ivoire*, S/2008/235, 14 April 2008, paras. 74-75.

<sup>299</sup> *Ibid.*, para. 78; S/RES/1727 (2006).

<sup>300</sup> United Nations, *Report of the Panel of Experts on Liberia*, S/2008/371, 12 June 2008, paras. 106-107.

work with other UN offices and agencies.<sup>301</sup> More recent interviews with current and former Panel members suggest this to be a recurring challenge across Panels.<sup>302</sup>

### COOPERATION WITH THE PRIVATE SECTOR

Because weapons and other commodities are often traded, transported, and purchased by private companies, Panels also investigate the role of these corporations and try to obtain information from them. According to Panel and Group reports, obtaining information about private sector transactions that may be related to sanctions violations remains a challenge.

The Group of Experts on the DRC, for instance, has been investigating an air cargo company, Silverback Cargo Freighters, since 2004. The Group discovered that in July 2004, the company made two cargo shipments of weapons and ammunitions from Bulgaria to Rwanda, via Egypt. In October 2005, a Silverback official promised information to the Group, but the company's representative "has been evading the Group ever since." In contrast, in 2007, the DRC Group reported extensive cooperation with private sector firms who readily responded to a questionnaire it sent to over 30 mining, forestry, and petroleum companies and their corresponding industry association. Moreover, these companies consulted with the Group and offered continuing support and information. The Group of Experts on Somalia also worked with corporations to confirm their alleged activities in that country. In that country, the corporation under investigation failed to provide the information necessary to document the alleged event of weapons trafficking. In June 2008, the Panel on Liberia noted that several private firms, as well as some important professional associations, had provided extensive cooperation. It listed the firms in the Annex to its report, as well as copies of some of the documents provided.

When cooperation from the private sector is insufficient, the Security Council should request the assistance of the states where the companies operate to ensure cooperation with expert groups. For example, the Council could consider placing the relevant corporations and their key leaders on the relevant assets freeze and travel ban lists.

*Sources:* S/2008/235, para. 9; S/2006/525, paras. 73, 78, 112; S/2007/40, paras. 31-33; S/2007/436, paras. 19-22; S/2008/371, Annex I, III, and XV.

## Working with United Nations Peace Operations

In 2008, four Panels were operating in countries that hosted UN-led peacekeeping operations: Côte d'Ivoire, the DRC, Liberia, and Sudan. In addition, the Somalia and Sudan Panels have worked in countries with AU peace operations.<sup>303</sup> This concurrence of UN Panels and peace operations is not entirely new—the Panels on Angola and Sierra Leone also worked in nations with UN peace operations. But the increase in peacekeeping missions overlapping with Panels raises the question of if and how they cooperate and collaborate in the field and within the UN Secretariat.

Of the UN peace operations, four missions have Council mandates that specify working with Panels of Experts. Likewise, three Panels have mandates to work with UN peace operations. Table 3.4 describes these overlapping mandates.

<sup>301</sup> Stockholm Report, para. 21; Author interview, Panel member, January 2009.

<sup>302</sup> Author interviews, Panel members, spring and summer 2006, January 2009.

<sup>303</sup> In Sudan, the African Union and the United Nations co-lead UNAMID, a peacekeeping mission which replaced the AU-led AMIS mission in Darfur, Sudan as of January 2008. In Somalia, the African Union deployed a peacekeeping force (AMISOM) in January 2007.

## Operational Assistance and Strategic Gains

In general, Panels working alongside peace operations have benefited from their capacities and resources. Panels depend upon the UN peace operations to provide key logistical support, as well as to ensure sufficiently secure environments for the Panels (as for many other actors) to operate freely and efficiently. For example, UNMIL, MONUC, UNOCI, and UNMIS have provided “vehicles, security, computers and office space, liaison officers, and helicopter/place reconnaissance flights—all at no cost to the DPA’s Special Political Missions budget.”<sup>304</sup>

The Panel on Liberia received meaningful assistance from UNMIL in several areas, from security to specialized information gathering. In 2004, the Panel recognized that UNMIL’s full deployment across Liberia permitted the experts to travel throughout the country, which security concerns had previously precluded.<sup>305</sup> Since then, UNMIL has supported the Panel with office space, information technology and communications equipment, ground and helicopter transportation, and security.<sup>306</sup> UNMIL also helped the Panel conduct aerial surveillance of forest and mining areas; assisted the Panel in tracing weapons collected by UNMIL during the DDR process; and helped the Panel gather information on the socioeconomic and humanitarian impact of sanctions. Additionally, UNMIL provided the Panel with “substantive political briefings.”<sup>307</sup> Finally, UNMIL has provided information to the Liberia Sanctions Committee upon request.<sup>308</sup>

As with the Panel on Liberia, MONUC not only provides the experts with ground transport, travel arrangements, and in some cases security during field missions, it also shares information with the Group.<sup>309</sup> To facilitate cooperation with the Group, MONUC provides focal points in its headquarters. In July 2006, for example, MONUC helped the Panel obtain detailed information from DDR organizers on weapons handed in by rebels and the Congolese Army (FARDC). At that time, the Group also reported it had worked particularly closely with MONUC’s Joint Missions Analysis Cell (JMAC).<sup>310</sup> This type of cooperation and information-sharing should be replicated across Panels and peace operations. During 2008, the Group continued to benefit from close cooperation with MONUC’s JMAC. On the other hand, other MONUC departments reportedly did not so readily share information. In its report, the Group noted that MONUC could have provided more information on human rights and child protection. Importantly, the Group reported that many of MONUC’s components, whether military or civilian, did not seem aware of the mission’s mandate to monitor the arms embargo.<sup>311</sup>

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<sup>304</sup> A/60/7/Add.37, para. 21.

<sup>305</sup> United Nations, *Report of the Panel of Experts on Liberia*, S/2004/1025, 31 December 2004, para. 28.

<sup>306</sup> United Nations, *Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council*, A/62/512/Add.2, 5 November 2007, para. 21.

<sup>307</sup> *Ibid.*

<sup>308</sup> Author interview, UN official, July 2007.

<sup>309</sup> A/62/512/Add.2, para. 43.

<sup>310</sup> S/2006/525, paras. 44-45.

<sup>311</sup> S/2008/773, para. 194.

**TABLE 3.4. DIRECTED COOPERATION BETWEEN PANELS OF EXPERTS AND PEACE OPERATIONS:  
UN RESOLUTIONS**

COUNTRY	Panels Mandated to Cooperate with UN Peace Operations	Peace Operations Mandated to Cooperate with Panel
<b>Côte d'Ivoire (UNOCI)</b>	Exchange information with UNOCI and the French forces with regard to the monitoring mandate. <sup>312</sup>	Cooperate with the Panel to monitor the implementation of the sanctions. UNOCI, UNMIL, and the governments concerned may inspect, as necessary and without notice, cargo at military bases and border crossings of Côte d'Ivoire. <sup>313</sup>
<b>Democratic Republic of the Congo (MONUC)</b>	<p>MONUC "within its existing capabilities and without prejudice to its mandate" and the Panel should continue to focus their monitoring activities in Ituri and the Kivus.<sup>314</sup></p> <p>MONUC, the Group, the DRC government, and regional governments should share information on the trafficking of weapons and other commodities.<sup>315</sup></p>	<p>MONUC should monitor the implementation of the sanctions.</p> <p>MONUC should cooperate with the UN Operation in Burundi (ONUB), the regional governments, and the Group.</p> <p>MONUC may inspect, as necessary and without notice, cargo at military bases and border crossings in the Kivus and in Ituri.<sup>316</sup></p>
<b>Sudan (UNMIS in South Sudan, UNAMID in Darfur)</b>	The Council requests the Panel to cooperate with AMIS, UNAMID, and other international peacebuilding efforts. <sup>317</sup>	The Council urges all relevant UN bodies, the African Union, and interested parties to cooperate with the Panel. <sup>318</sup>
<b>Liberia (UNMIL)</b>		<p>The Council called upon UNMIL, UNAMSIL, and UNOCI to assist the Panel.<sup>319</sup></p> <p>The Council requests UNMIL to assist in monitoring the sanctions including by conducting inspections of weapons and ammunition obtaining by the Liberian authorities to ensure that all the weapons are accounted for. Also requests UNMIL to report to the Sanctions Committee on its findings.<sup>320</sup></p> <p>The Council also requests UNOCI to share information with the Panel and the Committee.<sup>321</sup></p>

<sup>312</sup> UN Security Council Resolution 1609, S/RES/1609, 24 June 2005, paras 2, 12; S/RES/1727 (2006).

<sup>313</sup> UN Security Council Resolution 1509, S/RES/1509, 19 September 2003.

<sup>314</sup> UN Security Council Resolution 1771, S/RES/1771, 10 August 2007.

<sup>315</sup> S/RES/1857 (2008).

<sup>316</sup> UN Security Council Resolution 1565, S/RES/1565, 1 October 2004.

<sup>317</sup> S/RES/1841 (2008), para. 3.

<sup>318</sup> UN Security Council Resolution 1779, S/RES/1779, 28 September 2007.

<sup>319</sup> S/RES/1521 (2003); UN Security Council Resolution 1579, S/RES/1579, 21 December 2004.

<sup>320</sup> UN Security Council Resolution 1683, S/RES/1683, 13 June 2006; UN Security Council Resolution 1819, S/RES/1819, 18 June 2008, para. 6.

<sup>321</sup> Ibid., para. 7

The Group of Experts on Côte d'Ivoire worked closely with the “political, police, and military branches of UNOCI as well as with the French *Licorne* forces.”<sup>322</sup> This cooperation proved particularly fruitful during UNOCI’s assessment of diamond mining in Côte d'Ivoire. During that investigation, UNOCI police and military observers helped the Expert Group first to “identify the most important diamond dealers in Séguéla” (one of the leading mining areas in the country) and then, second, to uncover how the diamonds embargo was being violated.<sup>323</sup> Finally, the Côte d'Ivoire group also reported that in April 2006 one expert participated in a meeting hosted by the Small Arms Unit of ECOWAS, which has an arms moratorium in the region.<sup>324</sup>

The Monitoring Group on Somalia has been working with the African Union to improve implementation and enforcement of the UN arms embargo. Two experts from the Group attended an AU planning seminar on stabilization in Somalia, held in Addis Ababa in November 2004. At the meeting, the Group reminded participants that the Transitional Federal Government (TFG) and any organization including the African Union wishing to assist the TFG with military equipment should seek an exemption from the Security Council.<sup>325</sup> Since then, the Monitoring Group has observed that arms flows into Somalia, especially to the principal antagonists, have dramatically increased in terms of numbers of arms, frequency of delivery and sophistication of weapons. The Group has repeatedly documented illegal deliveries to the TFG as well as to other actors, including sales of arms by some members of the Ugandan contingent of AMISOM.<sup>326</sup>

The Sudan Panel was mandated to work both with peace operations led by the United Nations and the African Union. The Panel met with the head of the AU Mission in Sudan (AMIS), various UNMIS officials, and the UN Special Representative of the Secretary-General for the Sudan at the beginning of the Panel mandate in May 2006. The Panel noted that it had “received excellent operational and logistical support from UNMIS while undertaking its work.”<sup>327</sup> UNMIS, for example, provided the Panel with substantive political briefings.<sup>328</sup> The Panel added that AMIS had also provided logistical support, organized field visits and had briefed the Panel on current events.<sup>329</sup> In mid-June 2006, the Panel had to suspend its work because it coincided with a joint AU-UN technical assessment mission to Darfur. As a result, the UN helicopter that had been assigned to the Panel was instead used by the technical assistance mission and the Panel was forced to cancel its trip entirely.<sup>330</sup> When the Sudanese government then suspended UNMIS activities in Darfur on 26 June 2006, AMIS provided air transportation for the Panel.<sup>331</sup> Fuel shortages for UN and AU aircraft further hampered Panel travel, as did continuing safety and security problems.<sup>332</sup>

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<sup>322</sup> S/2006/735, paras. 19, 21.

<sup>323</sup> *Ibid.*, para. 140. Paragraphs 141-148 name the individuals most involved in smuggling. Paragraphs 150-175 describe diamond trafficking from Côte d'Ivoire to international diamond markets. The diamonds are usually smuggled through Burkina Faso and Ghana.

<sup>324</sup> *Ibid.*, para. 28. In Liberia, the June 2008 Panel report noted that the government is trying to bring its legislation in line with ECOWAS moratorium requirements. See S/2008/371, para. 53.

<sup>325</sup> United Nations, S/2005/153, paras. 87-89.

<sup>326</sup> S/2006/913, paras. 6, 8-9, 211; S/2007/436, paras. 10, 27, 58; S/2008/274, paras. 108-109, 120, 175, 239, 247, and Annex VII. Uganda denied that its troops had taken part in any weapons trading.

<sup>327</sup> S/2006/795, paras. 44-45.

<sup>328</sup> A/62/512/Add.2, para. 52.

<sup>329</sup> S/2006/795, paras. 44-45.

<sup>330</sup> *Ibid.*, para. 62. The suspension occurred from 12 - 26 June 2006.

<sup>331</sup> *Ibid.*, paras. 44-45.

<sup>332</sup> *Ibid.*, para. 63. According to the Panel’s earlier report, UNMIS provided “excellent logistical support.” S/2006/65, para. 63.

In October 2007, the Panel reported that both AMIS and UNMIS had provided extensive logistical support during their mandate. In addition, AMIS organized meetings with its regional commanders throughout Darfur.<sup>333</sup> While they provided useful logistical support, AMIS officers failed to divulge some critical information during numerous consultations with the Panel. The Panel reported that “despite instructions from the top” of AU and AMIS leadership to cooperate with the Panel, “information on the ground was not forthcoming from some quarters,” or was often too late to be of use to the Panel.<sup>334</sup>

As the Panel’s 2007 mandate was ending and UNAMID planning was beginning, the Panel, at the request of the Council, provided recommendations to ensure productive cooperation with UNAMID. The Panel suggested that the Council request that UNAMID share information on weapons movements and other relevant information with the Panel.<sup>335</sup> In October 2008, the Panel made numerous recommendations to enhance UNAMID’s ability to monitor the arms embargo. It first offered to help the mission develop a strategy to fulfill its mandate in that areas, suggestion the creation of a dedicated embargo cell. It added that the other peace operations in the region, UNMIS, the UN Mission in Chad and the Central African Republic (MINURCAT), as well as the EU mission there (EUFOR Tchad/RCA) also create cells within their missions and that all of these mission share data relevant to monitoring and implementing the arms embargo.<sup>336</sup>

### **Collaboration on Achieving Goals?**

While the Council has increasingly referenced cooperation between Panels and peace operations, it uses inconsistent language about that relationship in resolutions. Most often, the Council uses language directing peace operations to cooperate only insofar as doing so will not impinge on their larger goals. In UNMIL’s initial 2003 mandate, the Council couched the peacekeeping mission’s obligation to monitor sanctions in highly qualifying language: “The Security Council welcomes UNMIL’s readiness within its capabilities, its areas of deployment and without prejudice to its mandate, once it is fully deployed and carrying out its core functions to assist [the Liberia Sanctions Committee and Panel of Experts] in monitoring the sanctions.”<sup>337</sup> Three years later, the Council simply “called upon UNMIL” to cooperate with the Liberia Panel and SACO, eliminating the “to the extent possible” caveat from its mandate.<sup>338</sup> Likewise, MONUC’s mandate concerning the DRC Panel has evolved, particularly given the mission’s requirement to monitor the arms embargo. The Council has requested MONUC to share any information it gathers during its monitoring with the Panel, and to conduct joint inspections (with the Panel) of suspicious cargo when the Panel is present.<sup>339</sup>

Despite working directly with Panels, most UN peace operations (and other UN field missions) do not have a systematic mandate to monitor and track—let alone enforce—either UN targeted sanctions or their violations. Indeed, in the countries where both Panel and peace operations are deployed, only MONUC and UNOCI are specifically mandated to monitor the relevant arms embargoes. Similarly, most UN operations do not engage in tracking and monitoring of the related illicit trafficking in their

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<sup>333</sup> S/2007/584, para. 60.

<sup>334</sup> S/2006/795, para. 61.

<sup>335</sup> S/2008/371, paras. 64-67.

<sup>336</sup> S/2008/647, paras. 343-350.

<sup>337</sup> S/RES/1521 (2003), para. 23.

<sup>338</sup> S/RES/1683 (2006).

<sup>339</sup> UN Security Council Resolution 1757, S/RES/1757, 30 May 2007; UN Security Council Resolution 1807, S/RES/1807, 31 March 2008.

areas of operations. UN peacekeeping forces are only sporadically mandated to monitor a country's borders and even more rarely, if ever, provided with adequate resources to do so. As a result, peace operations rarely gather relevant information on illicit trade along the designated country's borders and do not take steps to address threats that may stem such a trade.<sup>340</sup>

Thus, Panels can play an important role in encouraging the United Nations and the international community to take note, and then to take action, so that illicit trade and its supporting networks do not threaten the success of peace operations in meeting their objectives. In states where peacekeeping missions aim to support the rule of law and DDR programs, for example, Panel information about the impact of illicit arms trade across porous borders can make a difference in crafting more successful peacekeeping missions.

The overlapping interests of both the Panels and of UN peace operations in ensuring that such activities do not threaten peace and security leads to the need to better sort out areas for collaboration for both UN-led mechanisms. To date, cooperation between peace operations and Panels has been uneven across different missions as well as the various components within them. The Security Council should take steps to ensure, that to the extent possible, peace operations and Panels work together to understand and monitor these threats and to find ways to address them. In other words, clearer and more formal mandates (for both tools) to cooperate on such efforts would be helpful.

### **Impartiality and Sanctions**

Certainly there are potential areas where the impartiality of a peace operation could be jeopardized by its role as a sanctions monitor or enforcer. Stronger links between UN peace operations and the Panels' efforts to help implement UN targeted sanctions deserve greater study, however. In particular, the role of peace operations in advising local authorities, helping train police, and assisting with the development of rule of law is argument for a better connection with the Panels and their analyses of spoiler networks. As demonstrated by the Panels' reports, many challenges that undermine sanctions implementation also plague attempts by peacekeeping missions to create the conditions for long-term stability. The cost of such collaboration would likely be small, given current mission mandates to support local peacebuilding.

The United Nations needs to better understand the potential for improved collaboration, as well as the normative and operational challenges of encouraging such joint support.<sup>341</sup> The Secretary-General, in his 2008 report on small arms, recognized the potential for increased synergies and cooperation between Panels and peace operations. He therefore recommended that peace operations with mandates to monitor arms embargoes assign a specific unit to this task (and cited the UNOCI cell as a potential example to replicate). The Secretary-General also suggested that peace operations that inspect incoming cargo share potential findings with the Panels and Sanctions Committees.<sup>342</sup>

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<sup>340</sup> Victoria K. Holt and Alix J. Boucher, "Framing the Issue: UN Response to Corruption and Criminal Networks in Post-Conflict Settings," *International Peacekeeping*, January 2009.

<sup>341</sup> The Stockholm Report, for example, cautioned against adding such a monitoring and control mission to peacekeeping mandates on the grounds that it could encroach on the more central provisions of a peace operation's purpose.

<sup>342</sup> S/2008/258, para. 67 and Recommendation 5.



### **“EYES” OF THE PANEL? THE UNOCI EMBARGO CELL**

In Côte d'Ivoire, the UN Group of Experts and the UN peace operation, UNOCI, have developed a unique example of substantial cooperation and integration. UNOCI was mandated to monitor implementation of the UN targeted sanctions, particularly the arms embargo, and created an embargo cell as part of its operation.

This cell, despite no funding for any staff positions, conducts spot inspections of cargo at Ivorian border crossings (sea, land, and air); maintains a weapons database; and catalogues obstructions to investigation of the arms embargo. It also looks for ways to improve investigative procedures and has hired a customs consultant. The cell has five employees who are focused solely on these duties, freeing them to devote all of their time to monitoring the embargo. In addition, specific units within UNOCI are tasked with monitoring the sanctions, particularly those stationed at ports and airports. (The airport unit pays particular attention to the country's remaining attack helicopter). Inspections themselves are performed by the troop contingents on the ground, along with UNOCI police officers. Police officers monitor suspicious cargo and work with air traffic control in Dakar (Senegal), which can offer warning in advance of any suspicious activity. To build sanctions monitoring capacity, UNOCI—with the assistance of the Group of Experts—also trains new units in these tasks. In fact, the training has been modified based on the Group's advice. Thus, the embargo cell serves as the eyes of the Group when the experts are not in the field. UNOCI follows up on leads and shares information with the Group.

Challenges nonetheless remain: In its April 2008 report, the Group noted that the cell's efficiency was hampered by the fact that UNOCI provides between three to six days of notice before conducting any inspections. Both rebel and government forces routinely refuse to allow inspections, claiming that they are not legally bound to permit them and thus refuse access to UNOCI when notified of pending inspections. Moreover, in October 2008, the Group reported that many of the weekly customs patrols are perfunctory and that documents about shipments are reviewed by UNOCI only after the goods are released. As a result, the Group noted that the embargo can be easily avoided. Nonetheless, both the DRC and Sudan Panels, in their late 2008 reports, recommended that MONUC and UNAMID establish this type of embargo cell or border monitoring teams to help with implementation of their respective arms embargoes.

*Sources:* Author interview, UN official, August 2007; S/2008/235, paras. 10-12; S/2008/598, paras. 12-16; S/2008/773, Recommendation 9; S/2008/647, para. 646.

## **IMPROVE PANELS AND UN IMPLEMENTATION**

The effectiveness of Panels and their investigations could be improved in key areas, including organization, training and preparation, support during field investigation, and data analysis. In addition, UN member states and the Secretariat need to grapple with bigger issues about the ability of expert Panels to work with UN peace operations and other UN agencies.

Evidence points to an emerging level of cooperation, primarily on the logistical side. But as peace operations work more closely to support the rule of law, it is natural that the work attempted by Panels could either help—or contradict—the role of UN-led missions in the field. Panels produce rich, often well-researched reports about the sanctions they monitor. Their reports deserve greater attention, however, not just for their content but more importantly for their actionable recommendations. The next section details why improved targeted sanctions implementation, as well as increased attention to and implementation of Panel recommendations, could play a significant part in making peacebuilding efforts more effective in the countries where Panels work.



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## PANELS OF EXPERTS: TOWARD MORE EFFECTIVE SANCTIONS IMPLEMENTATION AND PEACEBUILDING

The Security Council has increasingly used Panels to monitor the implementation of targeted sanctions. Indeed, one of the main lessons from the sanctions initially imposed on UNITA was that the Council, when faced with systematic violations, found that it did not know *how* the sanctions were being violated. The next inquiry, then, is what are the common problems behind the implementation of sanctions, and what ramifications does that have for both effective sanctions and for wider goals of transitioning to peace and security? Also, what is the international community doing with these reports and their analyses? How are they being used to implement the sanctions and to obtain the change in behavior that sanctions are designed to achieve?

Panels describe clear violations of sanctions during an ongoing violent conflict. An important aspect of Panel reports is their identification of gaps in institutional capacity to monitor borders, to halt trade in conflict-fuelling commodities, and to lead public ministries that can manage these crucial sectors and ensure compliance with sanctions and international standards. As the international community has increasingly focused on strategies for peacebuilding, many expert reports have become more instructive, and potentially useful, for those concerned with post-conflict reconstruction and with building the rule of law.

Panel findings and reports are not fully used or integrated within the UN Secretariat or the broader UN system. Panel recommendations endorsed by the Council are neither catalogued nor their implementation by nations followed. Moreover, it is unclear whether the Council expects more from peace operations other than to provide Panels with logistical support and basic information-sharing on common mandates.

This section examines the challenges to sanctions implementation for member states, the United Nations, and other international organizations. This section also discusses the effort by the authors to document the implementation of targeted sanctions, and the fact that there is little available information on that record.

### SYSTEMIC CHALLENGES IDENTIFIED BY PANEL REPORTS

The Security Council imposes sanctions, but nations must implement them. First, states must be willing to enforce sanctions. Some countries may face a loss in their own trade revenues if sanctions target neighboring states or important trade partners. Alternatively, individuals listed on UN travel bans and assets freeze could be politically powerful.<sup>343</sup> Other nations may fundamentally disagree with the objectives of sanctions.

Second, states need institutional capacity to enforce sanctions. Some countries may be willing to implement sanctions, but may lack the capacity to do so. Nations may not know that sanctions are being violated inside their territory because they cannot monitor their borders, either for financial reasons or

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<sup>343</sup> Liberia, for example, has not frozen any assets. See the “Assets Freeze” section in Chapter 5.

because they lack the manpower to do so. Their customs officials, for example, may not be sufficiently trained to perform their jobs. Alternatively, government revenues might be so low that these same customs officials go unpaid and thus accept bribes, letting commodities and people through in violation of sanctions. The challenge is to assist states in building the capacity they need to effectively implement sanctions.

### Panel Portraits of State Capacities

Panels have documented how state capacity is a core challenge to sanctions implementation. The September 2006 report of the Group of Experts on Côte d'Ivoire explains that the team asked officials in Burkina Faso, Ghana, and Mali whether border officials had received lists of individuals targeted by the travel ban. After being told that they had, the Group traveled to posts on Côte d'Ivoire's borders and found that, "in most cases it [was] apparent that the information about these measures had not been disseminated from the capital to local authorities."<sup>344</sup> The Group reported that officials on the Ghanaian border were not aware of the Côte d'Ivoire sanctions, but did know about the Liberian travel ban.<sup>345</sup> In April 2008, the Group pointed to another deficiency: the fact that UNMIL police in Liberia did not have the list of people subjected to sanctions in Côte d'Ivoire.<sup>346</sup> The Group thus made two obviously important points. First, it is not possible to implement sanctions if government authorities are unaware of them. Second, where UN peacekeeping missions support governments in regions with several sanctions regimes, missions need to be aware of all targeted sanctions regimes.

In 2006, the Sudan Panel also found problems with implementation, especially the travel ban and assets freeze. In a meeting with the Chief of the Immigration Department of the Sudanese Government, "the Panel was informed that instructions for enforcing the travel ban...were to be received from the Attorney General of the Sudan and that no such instructions had [yet] been received by the Department."<sup>347</sup> While the Panel was unable to meet the Attorney General, it did meet with Ministry of Justice officials who explained that Sudanese law *prevents* the freezing of assets until it receives orders from the "competent judicial authorities and not by any other authority," and that since such orders had not been issued, the Ministry of Justice would examine the issue and make its decision accordingly.<sup>348</sup>

During meetings with the Chief of Customs of Sudan, the Sudan Panel was told that the country had stopped manning the Chadian border in 2003. Chadian officials also told the Panel that only one border crossing with Sudan was manned. In 2006, the Panel concluded that

there is no Customs presence on either side of the international border between Chad and Sudan touching the Darfur region to effectively stop the smuggling of arms, ammunition, and vehicles, or to enforce the travel ban and financial sanctions.<sup>349</sup>

Further, the Panel discovered that the borders between the Central African Republic, Chad, Libya, and Sudan are generally not manned, something the Panel reported in October 2008 was still the case.<sup>350</sup>

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<sup>344</sup> S/2006/735, paras. 185-186.

<sup>345</sup> Ibid., paras. 185-186.

<sup>346</sup> S/2008/235, para. 78.

<sup>347</sup> S/2006/795, para. 107.

<sup>348</sup> Ibid. Sudan's failure to implement the assets freeze is thus a sanctions violation (para. 109).

<sup>349</sup> S/2006/795, para. 95.

<sup>350</sup> Ibid., para. 96; S/2008/647, para. 17. The Panel reported that large areas in the border regions between these countries remain "unmonitored."

This type of information could be used to determine where to provide technical assistance to prevent further embargo violations, because it is impossible to monitor sanctions without safeguarding borders.

Some governments have conflicting understandings of sanctions *within* their own institutions. The Panel on Sudan investigated Chad's difficulties in implementing the sanctions and found that the Ministry of Justice "was competent to issue the instructions for the implementation of the travel ban and financial sanctions." The Chadian Minister of Justice, however, told the Panel that he had received no such information from the Ministry of Foreign Affairs concerning Resolution 1672 (which mandates the travel ban and assets freeze). Chadian officials also contradicted one other as to which procedures immigration officers should adopt if a person listed on a travel ban appeared at the border. An immigration official told the Panel that a person arriving at an airport in Chad would be arrested; the Minister of Justice, however, said that persons could not be arrested without proper authorization from the judiciary.<sup>351</sup> These discrepancies suggest that implementing sanctions is not simply about political will. In many cases, countries have weak governments and cannot take the required steps to implement sanctions; provide notice about sanctions; or are confused on their government's willingness to uphold them.

Panels make recommendations to help remedy institutional failure to implement sanctions. Indeed, where Panels work in cooperation with governments trying to recover from conflict, their analysis may provide useful insight into priorities for state building and peace efforts. The importance of border control for revenue collection and ensuing resumption of service delivery, in particular, is well-recognized.<sup>352</sup> Similarly, the accountability and proper management of a country's police and military forces, as well as its judicial system, is essential in building the rule of law. Most importantly, however, the failure to create or resume provision of services (ranging from health and judicial services to guaranteeing safety of the population) has implications for building peace. When a Panel identifies this type of gap (as we will see in Liberia), the international community would do well to address it.

The Security Council's Informal Working Group on General Issues of Sanctions recommended addressing such challenges.<sup>353</sup> The Working Group pointed out that when sanctions are designed with implementation in mind, meeting those obligations is easier. It suggested that countries which can provide technical assistance to other nations make their availability better known. An easy way to do so would be to require member states, when they report to Sanctions Committees on their implementation activities, to report either on the challenges they face in implementing sanctions (and thus explicitly request help from others) or on their ability to provide capacity-building assistance to those who need it.

In this regard, the Working Group recommended to the Sanctions Committees that they work with the targeted country's neighbors to determine challenges in implementing sanctions and creating best

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<sup>351</sup> S/2006/795, para. 117.

<sup>352</sup> See Alix J. Boucher, William J. Durch, Margaret Midyette, Sarah Rose, and Jason Terry, *Mapping and Fighting Corruption in War-Torn States*, Stimson Center Report (Washington, DC: The Henry L. Stimson Center, March 2006). On borders, see Kathleen Walsh, Katherine N. Andrews, Brandon L. Hunt, and William J. Durch, *Post-Conflict Borders and UN Peace Operations*. Part I: Border Security, Trade Control and UN Peace Operations by Kathleen Walsh; Part II: A Phased Approach to Post-Conflict Border Security by Katherine N. Andrews, Brandon L. Hunt, and William J. Durch (Washington, DC: The Henry L. Stimson Center, August 2007).

<sup>353</sup> UN Security Council, *Letter dated 18 December 2006 from the Chairman of the Informal Working Group of the Security Council on General Issues of Sanctions to the President of the Security Council*, S/2006/997, 22 December 2006, para. 4. (The paragraph has a detailed set of related recommendations.)

practices for doing so. The Committees should also “encourage member states to identify/establish national coordination mechanisms to improve” sanctions implementation, which would offer a mechanism to remind states of their obligations and would help with building national capacity and best practices. Additionally, the Working Group urged provision of “resources for the Secretariat to establish a database of available technical assistance for capacity building.”<sup>354</sup> Finally, member states should also work with the relevant regional organizations and international mechanisms (such as the Kimberley Process) to ease implementation. Indeed, as we will see in Liberia, cooperation with the Kimberley Process has helped the country improve its compliance with international diamond trade regulations and eventually led to the lifting of the diamond sanctions.

## **TRACKING IMPLEMENTATION: UN RULES, MEMBER STATES ACTIONS**

The section gives some brief examples of how nations and multinational institutions have taken steps to implement UN targeted sanctions. The original aim of this Stimson study included cataloguing the implementation record of UN member states for targeted UN sanctions and Panel recommendations. Yet standardized sources of information, even basic data on the record of state action, is very difficult to find on either the UN internal system—including the Secretariat—or on the member states.<sup>355</sup> In general, *there is no implementation reporting mechanism* that publicly compiles this data.

This section therefore provides an overview of the record of sanctions implementation within the UN system, by the European Union (though not within its individual member states), and by the United States. These examples are not perfect, but are useful examples of efforts known to take certain actions when sanctions are imposed that offer a starting point for improving the systems and record of implementation.

### **Within the UN System**

When the United Nations imposes sanctions, it notifies all member states of its decisions by sending a *note verbale* to the Permanent Missions to the United Nations in New York. Countries must then transmit the news to their capitals. Each country is expected to take steps to ensure the legality of those sanctions in their domestic jurisdictions. Effective sanctions implementation depends upon how each nation interprets its obligations under the relevant UN resolution. This diversity in interpretation is one of the factors leading to different levels and types of implementation.<sup>356</sup>

UN Sanctions Committees further provide basic information on the sanctions and monitor their implementation. Within the UN system, these Committees are expected to play the central role in informing member states about their obligations. The extent to which the Committees do so is inconsistent, however.<sup>357</sup> Such communication is critical, since states that are not on the Security Council do not always understand the rationale for sanctions and may not feel that they “own the process.”<sup>358</sup>

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<sup>354</sup> Ibid.

<sup>355</sup> In 2006, a Stimson researcher called approximately 50 Permanent Missions to the United Nations—both developed and developing states—and asked to speak with the person handling UN sanctions issues. Most missions responded that they had no such staff. The researcher was only able to speak to two people who offered some insight into their nation’s policies.

<sup>356</sup> R. Richard Newcomb, “Targeted Financial Sanctions: The U.S. Model,” in Cortright and Lopez (eds.), *Smart Sanctions: Targeting Economic Statecraft*, (Lanham: Rowman and Littlefield, 2002), pp. 43-44.

<sup>357</sup> Stockholm Process, para. 22.

<sup>358</sup> Ibid., para. 23.

Countries are not systematically required to report their efforts on sanctions implementation to the Security Council or its Committees. Most sanctions resolutions only require countries to report to the relevant Sanctions Committees on their activities when arms embargoes, assets freeze, and travel bans are imposed.<sup>359</sup> In 2004, the Sanctions Committee on Liberia, for example, sent a *note verbale* to all member states, requesting information on steps they had taken to implement the sanctions. As of late 2007, only 17 member states had responded.<sup>360</sup> Most of the replies informed the Committee that no assets had been found in their country. Others (such as Lebanon) provided a list of people whose assets had been frozen. Norway's response was particularly detailed: it attached the text of the legislation that requires compliance with both UN sanctions in general and with the Liberia sanctions in particular.<sup>361</sup> Still, the large majority of member states did not reply *at all*, making it difficult to determine what, if any, steps had been taken to implement the sanctions.

Only the Counterterrorism (1267 and 1373), WMD (1540), Iran, and North Korea Committees require that *all* member states report to them on their activities to abide by Council resolutions. They post the replies directly on the website, making them accessible. As a result, response rates for the 1267, 1373, and 1540 Committees are much higher than for those on Liberia or other African countries. As of December 2008, the 1267 Committee listed the response of 148 countries; some countries submitted several reports.<sup>362</sup> The reports vary in detail. The United Kingdom, for instance, provided a six-page response; the Seychelles, an eleven-page response. Eritrea explained that it was receiving capacity-building assistance to abide by the resolution, while the DRC also expressed the need for assistance.<sup>363</sup> The detailed responses encourage cooperation and allow member states to provide assistance and information. Widespread reporting by all sanctions regimes, since it allows for the type of assistance provided through these committees to be extended to others, should be required by other Sanctions Committees.

In resolutions renewing Panels and expert Groups mandates, however, the Council has moved toward asking only “relevant” states—that is states with significant trade with the targeted country or states that serve as trading platforms for the commodities involved to report. This approach is likely reflective of the perceived “fatigue” of member states—many of whom do not trade directly with the countries targeted—regarding spending time and money reporting on issues that they feel do not concern them.<sup>364</sup> Some Council actions, such as embargoes on diamonds and timber, usually do not require reporting to the Council on national efforts to implement those sanctions regimes. As a result, when the Council designs sanctions, it should ensure they can be implemented, anticipate how they can be violated, and refrain from applying ones that are neither enforced nor monitored.<sup>365</sup>

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<sup>359</sup> Author interview, DPA sanctions staff, New York, June 2006. Separately, the Kimberley Process does require members to report on their efforts to track illegally mined diamonds (and their seizure of such assets).

<sup>360</sup> United Nations, *Annual Report of the Sanctions Committee on Liberia*, S/2007/776, 31 December 2007, para. 27.

<sup>361</sup> For Qatar's response, see United Nations, S/AC.41/2005/14 (2), 15 February 2005. For Norway's response, see United Nations, S/AC.41 (2005)/14/1, 1 February 2005. For Lebanon's response, see United Nations, S/AC.41/2005/(14)/4 and Add.1, 25 February 2005 and 10 March 2005.

<sup>362</sup> For a full listing of the reports, see [www.un.org/sc/committees/1267/memstatesreports.shtml](http://www.un.org/sc/committees/1267/memstatesreports.shtml).

<sup>363</sup> For the United Kingdom's response, see United Nations, S/AC.37/2003/(1455)/19, 17 April 2003. For the Seychelle's response, see United Nations, S/AC.37/2004/(1455)/40, 16 November 2004. For Eritrea's response, see S/AC.37/2004/(1455)/27, 31 March 2004. And for the DRC's response, see United Nations, S/AC.37/2005/(1455)/7, 27 June 2005.

<sup>364</sup> Author correspondence, UN officials, August 2007.

<sup>365</sup> United Nations, S/2006/947, 5 December 2006, para. 3.

The UN structure created to monitor sanctions on Al-Qaida and the Taliban, and the CTED mandate to assist states in building capacity to enforce Security Council resolutions, could possibly be duplicated (or expanded) to other sanctions regimes, which would require additional funding.

### A SANCTIONS COORDINATOR?

The Secretary General's High Level Panel on Threats, Challenges, and Change as well as outside analysts have recommended that a Sanctions Coordinator be appointed to improve implementation among UN member states. The Panel recommended that a senior official be appointed to analyzing "the best way to target sanctions and to assist in coordinating their implementation." Additionally, the coordinator could "assist with compliance efforts; identify technical assistance needs and coordinate such assistance; and make recommendations" on how to make sanctions more effective." Moreover, Chairs of the Sanctions Committees serve as *ad hoc* coordinators. As such, the importance of coordinating the sanctions and ensuring their implementation varies according to the member state's commitment, its clout in the international community, and the Chairman's persuasiveness in encouraging countries to do so. Because the Chairs of UN Sanctions Committees rotate, a Committee's involvement fluctuates with each new one. This situation, of course, can lead to further inconsistencies and confusion. A Sanctions Coordinator, Cortright and Lopez argue, could also be tasked with "political outreach, special assistance, and policy guidance," and could prevent confusion and improve implementation. Beyond informing member states of their obligations to implement sanctions, he/she could meet with the leadership of countries neighboring the targeted nations and travel to the region to raise awareness about the sanctions' objectives. Further, the Coordinator could meet with private sector representatives to assist them with their compliance efforts. Finally, "policy guidance would help organize and coordinate assistance between Member States, the UN, and regional organizations."

*Source:* Cortright and Lopez, "A Sanctions Coordinator," in Peter Wallensteen and Carina Staibano, *International Sanctions: Between Words and Wars in the Global System*, pp. 65-74 (2005); United Nations, *Report of the Secretary-General's High-Level Panel on Threats, Challenges, and Change*, A/59/565, 2 December 2004, para. 180.

### Tracking UN Implementation of Panel Recommendations

As mentioned earlier, this report began as an effort to identify and track the findings and recommendations of Panels of Experts. With more than eight Panels since the 1990s and more than 80 reports, the project has tried to complete the documenting of the ongoing Panel's findings and recommendations (see Part II of this study). But tracking them and their implementation, or even a subset of the implementation record, proved too large a task for a small team to accomplish.

Part II of this report attempts to collect, in one place, the record of findings and recommendations of Panels. The first chart of this section is a *Panel of Experts Cheat Sheet*. The spreadsheet simply provides an easy reference for Panel and Group mandates, the resolutions under which they were created, what their mandates are, how long they are, when they were renewed, and the number of the reports published as a result.

The second set of collected information is called the *Comprehensive Charts*. These charts are organized by Panel and simply list *recommendations*, in chronological order and by report. The third set of charts is called *Summary Charts*. These are based on the comprehensive charts and are organized by type of recommendations. The charts have a section for each broad type of sanctions monitored by the Panels.



Some charts also have sections by recommendations devoted to capacity building, and the co-deployed peace operations' mandates.

To highlight aspects of Part II, this section provides a more detailed description of the charts, how they were created, their limitations, and how we envision they could be used. The goal is for the *Summary Charts*, in particular, to prove useful for more effective tracking of the implementation record of Panel recommendations. This section will take some examples from the charts to discuss how the United Nations implements Panel recommendations. While the Panel of Experts *Cheat Sheet* and *Mandate Guide*, as well as the Liberia charts are appended to this report, the other charts can be accessed on the Stimson website ([www.stimson.org/fopo](http://www.stimson.org/fopo)).

## Comprehensive Charts

As their name suggests, the *Comprehensive Charts* list Panel recommendations chronologically by report. They are useful for the reader who simply needs to survey *all* of a particular Panel's recommendations.

Since the recommendations are so numerous, they are assigned to various categories to assist users interested in sorting these charts by type. The authors created six broad categories for the recommendations:

- Category 1 is called *Embargo and Sanctions* for recommendations regarding the scope of the embargo and the targeted sanctions;
- Category 2 is called *Accountability* for recommendations regarding ensuring that sanctions violators are held accountable for their behavior;
- Category 3 is called *Panel Mandate* for recommendations concerning the Panel's duties;
- Category 4 is called *State Capacity* for recommendations on improving the ability of member states to monitor and implement sanctions;
- Category 5 is called *Role of Various Actors*. This category has subcategories for each of five sub-actors, namely for (a) the United Nations; (b) regional actors; (c) Third Party States; (d) Third Party non-States; (e) the Target State(s); and
- Category 6 is called *Peacekeeping* for recommendations concerning a peace operation's potential responsibilities.

## Summary Charts

The *Summary Charts* for each Panel build off the *Comprehensive Charts*. These charts are a tool for beginning to track Security Council and eventually member state sanction implementations. The *Summary Charts* are organized thematically, with a section for each broad type of targeted sanctions and its related recommendations. For example, the *Summary Chart* for Liberia has travel ban and civil aviation, arms, diamond, and timber embargoes, improving governance and helping Liberia meet requirements for lifting sanctions, and UNMIL mandate sections. The left hand column summarizes the recommendation the Panel made, the next column lists the Panel report and relevant paragraph number for the recommendation. If that recommendation was made in subsequent reports, the Chart allows the reader to see that. The Security Council column provides the number and year of the resolution passed to apply that recommendation. The "Security Council Response" column summarizes the relevant content of the resolution applying recommendation. Finally, the UN/member state response column once filled out, could provide UN and member state response to that resolution.

This report includes an important **caveat raised earlier**: the Security Council resolution and member state response columns are **not complete** and reflect **only a start on recording and understanding the record of implementation**. These columns do not reflect all of the potential responses to a Panel recommendation. The only Panel for which the authors were able to try to fill out the UN/member state column is for Liberia. In that case, however, not all relevant follow-up actions or recent developments are included. With the other charts, it also is possible that we additional information should be added or interpretation of relevant Security Council resolutions clarified or re-categorized. The overall purpose is to provide this data in an organized format for public use and to begin a more systematic categorization and analysis.

### **PATTERNS IN IMPLEMENTATION?**

Interesting patterns emerge from the study of the *Summary Charts*. When looking at the chart for Côte d'Ivoire, for example, the Group suggested in November 2005 that the Council ask the Forces Nouvelles (FN) to provide an inventory of their weapons. In December, when renewing the Group's mandate and the sanctions, the Council requested FN to do so. Similarly, the Group recommended in November 2005 that UNOCI and the Kimberley Process conduct joint investigations of diamond mining in Côte d'Ivoire. The Council adopted that recommendation in December 2005. In 2006, the Group recommended an audit of Côte d'Ivoire's quasi-public cocoa production, something the European Union did and published in May 2007. Finally in 2007, the Group recommended that the SACO and the Council remind member states and the Ivorian authorities of their obligation to cooperate with the Panel on monitoring the sanctions, something the Council did when renewing the Group's mandate. The Chart thus shows that many Panel recommendations go unanswered.

As the Somalia Chart shows as well, Panel recommendations for that country have gone largely unaddressed. Indeed, while some of the Panel's recommendations concerning the arms embargo have been quickly implemented. In July 2002, for example, the Panel asked the Council to clarify whether the embargo applied to the provision of training and equipment to Somali forces, which the Council ruled it did when renewing the Panel's mandate a few weeks later. In other cases, the Council took a long time to act. In July 2002, when the Panel suggested that the SACO and neighboring states work directly with Somalia, that recommendation was not implemented until December 2003, when the Council requested the various parties do so. The Chart also shows, however, that despite repeated recommendations to impose a travel ban and assets freeze on actors alleged to violate the embargo, the Council has not done so. Similarly, Panel recommendations to help neighboring states improve their capacity to implement the weapons embargo have gone unanswered, as have suggestions to impose an embargo on the export of charcoal and fish from Somali territorial waters. The Council and its SACO on Somalia have therefore been criticized for failing to do more than stating, in repeated resolutions, that it would take the recommendations into consideration and express its intention to act on them.<sup>366</sup>

According to analysts, the Council has failed to act on Somalia because decisions in the SACO are made by consensus and it has therefore been unable to agree on what recommendations to make to the Council. Moreover, many Committee members have simply not participated widely in the Committee activities (though they did travel to the region in November 2003 for the first time). Similarly while the Panel has prepared a list of potential individuals for inclusion on a possible assets freeze/travel ban list,

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<sup>366</sup> UN Security Council, "Anatomy of a Sanctions Regime: A Case Study of Sixteen Years of Failed Efforts to Effectively Implement Sanctions in Somalia," Special Report, No. 4, p. 11 (September 2008).

discussions in the Committee have focused on arguments over the effectiveness of such sanctions and have not led to any decisions. Overall, it seems the SACO on Somalia doubts the value of the sanctions, the reliability of the Panels' reports (despite the fact that many of its findings are independently confirmed in the press), and thus is reluctant to recommend action to the Security Council.<sup>367</sup> In the case of Somalia, it seems that the Sanctions Committee and its opinions have impacted the ability of the Council to make related decisions. When this is the case, the Council could directly ask the Panel to periodically brief its findings.

Analysis of the *Summary Chart* for the DRC shows that the Council was also slow to implement recommendations for the country. Concerning the weapons embargo, the Group asked for and obtained clarification on its scope. A recommendation for member states to prosecute those found to violate the sanctions was made in October 2002 and implemented by the Council in January 2003. Similarly, in January 2005, the Group recommended that the Council impose sanctions on FDLR rebel group, which it did in April of 2005. That year, the Group recommended that the targeted sanctions be maintained into the post-transition period, a recommendation the Council has heeded since sanctions were renewed in December 2008.<sup>368</sup> Concerning the travel ban and assets freeze in the DRC, however, it took much longer for the Council to act. Indeed, the first Panel on the DRC recommended such sanctions in April 2001 and then in October 2002. The Chart shows that the Group of Experts charged with monitoring the arms embargo echoed that recommendation in January 2005. The Council imposed such sanctions in July 2006. In examining the Chart, it seems that most unanswered recommendations are suggestions for improving the capacity of the targeted and neighboring states to apply the sanctions and respond to violations (by prosecuting violators for example, or by improving border capacity).

As the Sudan Chart shows, very few of the Panel's recommendations have been adopted. When the Council did take action, in some cases before the Panel recommended it (for example, when the Council requested the Government of Sudan cease offensive overflights of Darfur), the resolutions and ensuing recommendations have usually not been implemented. Similarly, the Council extended the arms embargo to all belligerents in Darfur and has mandated the peace operations deployed in Sudan to work with the Panel. Other recommendations, however, remain unheeded. In particular, the Council was unable to agree on implementing a recommendation to require end-user certification for weapons imports (because the embargo does not apply to the movement of arms into Darfur by the Government of Sudan) or for dual-use items to be included in the embargo. A 2006 recommendation to extend the arms embargo to non-state actors in eastern Chad has also gone unanswered. The Panel has recommended the creation of an air exclusion over Darfur (to ensure aircraft are not used to target civilians), as well as the imposition of sanctions on cargo companies alleged to contribute to embargo violations, something the Council has not implemented. Finally, while the Panel has suggested expanding the number of those subject to the assets freeze and travel ban, the Council or Committee have yet to do so.

As the Liberia Chart shows, the Council—and the international community—have taken wide-ranging action to implement Panel recommendations. Because this chart is the only one for which the authors examined member state and international responses to Panel recommendations, assistance Liberia received from other countries or institutions may have been missed. Still, as recent developments in

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<sup>367</sup> Ibid., p. 19.

<sup>368</sup> UN Security Council Resolution 1857, S/RES/1857, 22 December 2008.

Liberia show, more systematic implementation, along with a commitment to building the rule of law, have dramatically improved the situation in Liberia. As we will see in the Chapter Five, the Panel of Experts on Sierra Leone first suggested in December 2000 the imposition of an extended arms embargo, civil aviation ban, travel ban, assets freeze, and diamond and timber embargoes. The Council eventually implemented all of these recommendations, except for the timber embargo (which was not imposed until May 2003), as soon as it created the Liberia Panel in March 2001. The Panel began making recommendations concerning management of Liberia's resources and public finance in 2002 and called for improved capacity and accountability. The Council responded to these recommendations as soon as 2003, when it asked the international community (as the Panel had suggested) to provide this assistance. As the Chart shows, the Kimberley Process, the Liberia Forest Initiative (LFI), and the Governance and Economic Management Assistance Program (GEMAP) provided this type of help, in many cases without direct or specific Security Council direction. In fact, by setting conditions that required the provision of this type of assistance in order to lift the sanctions, the Council has implicitly endorsed these recommendations and encouraged their implementation.

The Chart also shows that because of the instability in Liberia, both the Council and the Panel, cautioned the international community to be vigilant in providing assistance to Liberia three times between 2003 and 2005. The Council has further acted upon recommendations concerning UNMIL's mandate. In 2005, the Security Council recommended that UNMIL's mandate include the arrest and detention of Charles Taylor. Between 2001 and 2005, the Panel suggested that UNMIL's mandate include border and sanctions monitoring, which the Council also adopted.

Overall, the Charts show that the Security Council does not always react quickly to the Panels' recommendations; some are noted and implemented immediately, while others are not. In Liberia in particular, because the Council imposed conditions for lifting the sanctions, the international community stepped in to help Liberia meet them. The Liberia Panel provided donors with information on capacity gaps and, without further Council encouragement, offered their support. In some cases, these efforts took the form of international initiatives such as the LFI and GEMAP. Such initiatives are commendable but they depend upon first taking note of the Panels' findings and recommendations, heeding the Council's call to act, and providing assistance. Because donors find doing so challenging, the Council should consider systematically tracking the Panels' findings and recommendations, and providing member states with means of addressing gaps in governance and rule of law.

## **EU Sanctions Implementation**

The European Union follows a similar process to the United States for implementing sanctions. When the Security Council passes a sanction resolution, the EU coordinates its members' response by adopting regulations that give effect to UN Security Council sanctions. EU member states must abide by UN sanctions and the European Union reserves the right to apply measures even more restrictive than those of the United Nations.<sup>369</sup>

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<sup>369</sup> The Council of the European Union, "Guidelines on implementation and evaluation of restrictive measures (sanctions) in the framework of the EU Common Foreign and Security Policy," Item Note, PESC 757 FIN 568, (Brussels: 3 December 2003), para. 3. As the 2003 guidelines declare: "In the case of implementation of UN restrictive measures, the EU legal instruments will need to adhere strictly to the relevant Security Council Resolutions. However, it is understood that the European Union may decide to apply measures that are more restrictive."

As part of their membership, EU member states have model laws in place that are enacted automatically by passage of a UN resolution. The model laws allow nations to quickly implement sanctions without having to draft an entirely new law and thus create new implementation procedures, every time the Security Council imposes sanctions. Once the European Union is notified of the UN sanctions, it informs its members who then take the necessary steps to pass the relevant laws. This approach ensures the response to trade embargoes, for example, is the same throughout EU countries. In a market without trade barriers, different interpretations of requirements for implementing sanctions obviously cancel the impact of sanctions and lead to countless violation opportunities. The exact mechanism for application of the sanction and the adoption of the relevant laws within the European Union depends on the type of sanction being imposed.<sup>370</sup>

The European Union has also adopted a Code of Conduct on Arms Exports. The Code is binding and member states must pledge not to sell weapons to those nations likely to use them to repress their populations or attack other countries.<sup>371</sup> In the case of travel bans, countries also have laws that enable them to simply alert border and customs officials to a new requirement. Concerning trade (commodity) and financial sanctions, new legislation is adopted at the EU level. The legislation is adopted with the specific targets in mind and is designed to limit impact on third parties.<sup>372</sup>

For assets freezes, there is no European equivalent to the US Office of Foreign Assets Control (OFAC); individual governments have their own structures for implementing targeted sanctions. EU regulations suggest that, for the effective implementation of assets freezes in particular, the EU Commission should have the necessary regulations in place within three days for assets and EU member states legislation that could lead to temporary implementation within 30 days.

The European Union requires its members to report on their steps to implement sanctions. The Sanctions Formation office at the European Commission sends questionnaires to the member states. The questionnaires serve as a device to apply peer pressure on states.<sup>373</sup> When told that other countries have reported, some nations feel they should report as well. The questionnaires distributed are not public and thus information on implementation and compliance with the reporting requirements is not readily available.<sup>374</sup>

Concerning diamonds embargoes, the European Union is a member of the Kimberley Process (KPCS). Responses to a questionnaire on the status of the process and steps the EU might have taken when faced with potential embargo violations showed that most violations of Kimberley Process involved attempts

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<sup>370</sup> Anthonius W. De Wries and Hadewych Hazelzet, "The EU on the Sanctions Scene," in Peter Wallensteen and Carina Staibano (eds.), *International Sanctions: Between Words and Wars in the Global System* (London: Frank Cass, 2005), p. 96.

<sup>371</sup> David Cortright and George Lopez 2002, "Arms Embargoes," in *Sanctions and the Search for Security: Challenges to UN Action*, op. cit., pp. 172-173.

<sup>372</sup> Ibid., pp. 96-97. The chapter discusses the importance of the European Union in targeted sanction implementation but briefly explains how it implements such sanctions. The chapter also details how it implements embargoes on arms brokering, dual-use goods and flight bans.

<sup>373</sup> Author interview, European Commission official, June 2006. The European Commission has a small professional staff (about half a dozen) who draft the necessary laws, monitor EU member state implementation, and obtain the information needed to implement UN targeted sanctions. The Sanctions Formation staff work primarily on the EU sanctions, which typically are more extensive than UN sanctions. They are assisted by personnel in ministries of EU member states, but not on a permanent basis. These countries do not second staff to the Sanctions Formation; this small staff coordinates all sanctions imposed by the European Union, whether those sanctions are instigated by the United Nations or the European Union itself. The EU has sanctions in force against countries that the UN has not, for instance against Belarus.

<sup>374</sup> Ibid.

to import diamonds without a valid Kimberley Process Certificate. One of those shipments came from an UN-embargoed country. In all of these cases, EU authorities seized the shipments and began investigating the violation. Some were prosecuted and the individuals or companies involved were fined.

The Sanctions Formation at the European Union has issued best practices in implementing assets freezes and is working on similar documents for other types of sanctions. EU implementation could be improved with additional personnel in the Sanctions Formation. Some EU members use sanctions as a bilateral tool; others do not, and thus, are not as familiar with their rationale and application.<sup>375</sup> There is also a need to educate some officials about the application of sanctions, what they can achieve and how they can be effective. The EU communicates more with the private sector and individual governments because some are not as familiar with their sanction implementation obligations.

Finally, the European Union could coordinate better with the United Nations. With 27 member states, the European Union's approach to sanctions implementation is decentralized and uncoordinated. In other words, when reporting is required from the United Nations, EU member states submit their information individually rather than as a group. This approach makes implementation, coordination, and tracking all the more complicated and confusing. Streamlining EU reporting on sanctions could be helpful (for both the European Union and the United Nations).<sup>376</sup>

### **United States Sanctions Implementation**

This section gives an overview of how the United States implements sanctions. When the Council passes a resolution imposing sanctions, the President of the United States issues an equivalent Executive Order mandating the appropriate US government agency to take action, and cooperate with other countries in implementing them.<sup>377</sup> The Executive Order is usually based on the UN Participation Act and on the declaration of a national emergency under the International Emergency Economic Powers Act (IEEPA).<sup>378</sup> The United States considers Chapter VII Security Council resolutions as equivalent to treaties. It has therefore passed legislation intended to facilitate sanctions implementation and to permit the President to pass an Executive Order, invoking the relevant legal provisions, to enforce the sanctions. To date, only sanctions against Southern Rhodesia have not been implemented (though many have been delayed by about six months).<sup>379</sup>

In the case of an assets freeze, the OFAC at the US Department of the Treasury leads the implementation effort and consults with other government agencies to clarify the resolution's scope and objectives. As mentioned, the President issues an Executive Order which makes the resolution effective under domestic law. That Order also gives OFAC the authority it needs to proceed. The next step is to inform the rest of the government, as well as the US public, of the new order. A media campaign is thus launched which describes the new sanctions, the legal requirement to implement them, and how individuals and entities can comply with them.

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<sup>375</sup> Some EU members also sometimes apply sanctions without the cooperation of other EU member states. Those member states are therefore more accustomed to applying targeted sanctions.

<sup>376</sup> Author interview, European Commission official, June 2006.

<sup>377</sup> Newcomb 2002, "Targeted Financial Sanctions: The U.S. Model," op. cit., pp. 44-45.

<sup>378</sup> Andreas F. Lowenfeld, "The United States," in Vera Gowlland-Debbas, *National Implementation of United Nations Sanctions: A Comparative Study* (Leiden, Netherlands: Brill Academic Publishers, 2004), pp. 622-623.

<sup>379</sup> Ibid., pp. 640-641.

The next step is for US government personnel to visit the persons and entities targeted by the sanctions and to inform them that their assets have been frozen. OFAC also provides guidelines to targets for obtaining waivers or getting delisted. If necessary, frozen assets are surveyed and holders are mandated to file status reports.<sup>380</sup> OFAC then places the available information on its federal list of targeted individuals and entities, instructs banks to take the appropriate steps for assets to freeze in the United States and thus, implements the sanctions.

OFAC works with other countries to obtain information on the concerned entities remaining assets and to identify additional steps to be taken in order to fully comply with the US Executive Order. OFAC has a website on which it lists entities subject to sanctions, the reasons they are being sanctioned and steps they can take to be removed from the lists, including how to proceed if they have been sanctioned in error or believe that the sanctions have been unfairly imposed.<sup>381</sup>

In the case of arms embargoes, the Department of Commerce, through the Export Administration Act, enforces sanctions by fining violators or suspending their “export privileges.” The State Department also takes a part in such cases, through the Arms Export Control Act, and can push for civil or criminal penalties.<sup>382</sup> In the case of diamonds embargoes, the Bureau of Customs and Border Protection and the Bureau of the Census are the authorities charged with enforcing the Clean Diamond Trade Act, which was passed in 2003 and prohibits the import and export of rough diamonds, without a KPCS certificate.<sup>383</sup>

The United States is therefore an example of how one country implements sanctions. It has been able to adopt the necessary legislation and has the resources to implement it, though certainly as with all member states, not always completely.

## LOOKING FORWARD

Effective implementation requires more than well-researched Panels of Experts reports and recommendations—it requires member states to understand the sanctions and their responsibilities; to have mechanisms to uphold them and to report on their behavior; and for the Council, Sanctions Committees and DPA to understand what states are (and are not) able to accomplish. Certainly the capacity questions raised by gaps in sanctions implementation points to the need for better integration with existing efforts to increase state capabilities, including those supported by UN peacekeeping and peacebuilding efforts. Liberia is an interesting example of these challenges and a new approach to the use of Panels and peace operations.

By highlighting gaps in capacity to re-establish the rule of law, Panel reports can play an essential part in determining which public sector activities should receive priority from international assistance providers. As Panel reports and evidence are increasingly used to determine whether to maintain sanctions (as we will see they were in Liberia), it remains crucial that Panels retain their independence while their findings and recommendations receive the attention they deserve from the international community.

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<sup>380</sup> Ibid., pp. 52-53.

<sup>381</sup> See the US Treasury Department’s sanction program summaries during the former Liberian regime of Charles Taylor, available at [www.treasury.gov/offices/enforcement/ofac/programs/liberia/liberia.shtml](http://www.treasury.gov/offices/enforcement/ofac/programs/liberia/liberia.shtml).

<sup>382</sup> Lowenfeld 2004, op. cit., p. 623.

<sup>383</sup> See the Clear Diamond Trade Act, H.R.1584 (108<sup>th</sup> Congress), Public Law N. 108-19, 25 April 2003. There are no amendments since it passed the Senate on 10 April 2003.





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**THE PANEL OF EXPERTS ON LIBERIA**

*At one point in the mid-1990s, [Liberian President Charles] Taylor was earning an estimated US\$10 million per month in “taxes” from iron ore, timber, rubber, gold and diamonds in the areas of Liberia that his forces controlled. The task undertaken by President Sirleaf is daunting...the capital, Monrovia, lacks electricity, water and sanitation services...official unemployment stands at more than 80 percent, the civil service is grossly overstaffed and desperately underpaid (50,000 civil servants, approximately 30 percent more than are needed, receive US\$30 each per month.)*

- United Nations, *Report of the Panel of Experts on Liberia*, 7 June 2006.<sup>384</sup>

The Liberia Panel of Experts is an interesting example of how Panel reports can contribute to improving the rule of law in a post-conflict state. Created in 2001, the Panel has worked to monitor the UN sanctions imposed on Liberia: a travel ban and assets freeze, a weapons embargo, a diamonds embargo, and a timber embargo. It was also tasked with monitoring Liberia’s progress towards lifting the sanctions.

Since the Panel was created, Liberia has seen upheaval: renewed war, the 2003 deployment of a large UN peacekeeping force, the departure of the notorious Charles Taylor, the imposition of a fledging and widely corrupt transitional government, and finally, in late 2005, successful elections. As a result, Liberia is a particularly instructive example for considering the roles of Panels in identifying and offering strategies to address peace spoilers in regionalized conflicts and to support governance and rule of law. Indeed, as part of its role in monitoring the embargoes on weapons, diamonds, and timber, the Panel found itself in a unique position to recommend steps to improve governance in those sectors. With the implementation of Panel recommendations, along with a new commitment to building institutions, fighting corruption, and equitable sharing of resources, Liberia has met the requirements for lifting the UN diamond and timber sanctions. Today, the Panel monitors the remaining sanctions and Liberia’s nascent ability to manage the resources that played such an important part in funding war.

This section considers Liberia’s civil war and how it led to the Panel’s creation, examines its efforts in monitoring sanctions, and describes the Panel’s role in helping Liberia meet the conditions needed for targeted sanctions to be lifted. The chapter uses the accompanying *Summary Chart on Panel Recommendations and Sanctions Implementations in Liberia* [in Part II] to track how often the Panel made certain recommendations, whether the Security Council adopted and implemented them, and what steps the international community has taken to follow up on the Panel’s findings. The Panel’s work is discussed over two phases: monitoring sanctions implementation *before* and *after* Taylor’s departure. Until 2003, the Panel served a mostly informational role, tracking and reporting on violations. After 2003, and the election of President Ellen Johnson-Sirleaf, the Panel played an important part in supporting Liberia’s management of its resources and public finances, areas the Panel had earlier found most problematic in funding war.

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<sup>384</sup> S/2006/379, paras. 6-8.

## CREATING A PANEL: OVERVIEW OF SANCTIONS IN LIBERIA

The Security Council first created a Panel of Experts on Sierra Leone in 2000 to assess sanctions violations in Sierra Leone. Indeed, the Council had imposed a weapons and petroleum embargo in October 1997.<sup>385</sup> The Panel reported that Liberian President Charles Taylor was central to the trade in weapons, diamonds, and timber that was fuelling the regional conflict. Moreover, Taylor was also violating the arms embargo imposed on Liberia in 1992.<sup>386</sup> The Sierra Leone Panel detailed Taylor's use of Liberian timber and Sierra Leonean diamonds to buy weapons and support the war in Sierra Leone. That Panel recommended targeted sanctions for Liberia: strengthened weapons and diamonds embargos; a travel ban and assets freeze on key individuals; and a temporary embargo on timber.<sup>387</sup>

In May 2001, the Security Council adopted those recommendations and renewed the arms embargo on Liberia. It imposed a travel ban on Liberian leaders and major actors in the ongoing regional conflict, and established a diamond export ban.<sup>388</sup> Later, the Council added a timber embargo.<sup>389</sup> In October 2001, the Security Council created a five-member Panel of Experts for Liberia with a six-month mandate to:

- investigate sanctions violations;
- collect information on Liberia's compliance with the sanctions;
- investigate links between war and the exploitation of Liberia's natural resources; and
- report to the Sanctions Committee on its findings.<sup>390</sup>

In 2003, following Taylor's departure, the Security Council revised the legal basis for sanctions on Liberia. Indeed, the Council wanted to ensure that Liberia's resources would no longer be used to support war but to create more transparent, effective, less corrupt, and more accountable institutions. It set three conditions for Liberia to meet to lift the sanctions: that Liberia establish a "transparent, effective and internationally verifiable Certificate of Origin regime for Liberian rough diamonds;" that authorities gain full authority and control over timber-producing areas; and that Liberia create a transparent financial management system that would "ensure that government revenues are not used to fuel conflict or otherwise used in violation of the Council's resolutions."<sup>391</sup> The Council asked the Panel to assess Liberia's progress toward meeting those conditions. In June 2006, the Council lifted the Liberian timber embargo and asked the Panel to monitor the country's progress in meeting the conditions for lifting the diamonds embargo. In June 2007, the Council restructured the Liberia Panel, creating a three-member team mandated to monitor Liberia's compliance with the Kimberley Process, progress toward full implementation of a forestry management law, and requirements for improving the capacity of neighboring states to apply the sanctions. The Panel's mandate was last renewed through 20 December 2009.<sup>392</sup>

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<sup>385</sup> UN Security Council Resolution 1132, S/RES/1132, 8 October 1997.

<sup>386</sup> UN Security Council Resolution 788, S/RES/788, 19 November 1992.

<sup>387</sup> United Nations, *Report of the Panel on Sierra Leone*, S/2000/1195, 20 December 2000, para. 19. See also, United Nations, *Report of the Panel of Experts on Liberia*, S/2002/470, 19 April 2002, para. 102.

<sup>388</sup> UN Security Council Resolution 1343, S/RES/1343, 7 March 2001.

<sup>389</sup> UN Security Council Resolution 1478, S/RES/1478, 6 May 2003.

<sup>390</sup> UN Security Council Resolution 1343, S/RES/1343 (2001). Some experts from the Sierra Leone panel continued on the Liberia panel.

<sup>391</sup> UN Security Council Resolution 1521, S/RES/1521 (2003), para. 5; UN Security Council Resolution 1579, S/RES/1579 (2004), paras. 10-12; UN Security Council Resolution 1607, S/RES/1607, 21 June 2005.

<sup>392</sup> UN Security Council Resolution 1819, S/RES/1819, 18 June 2008.

## Overview of the Conflict in Liberia

In December 1989, Charles Taylor and his National Patriotic Front of Liberia (NPFL) invaded Liberia, quickly gaining control of the country. The seven-year civil war that followed left 200,000 Liberians dead and 1 million displaced in refugee camps. In 1990, ECOWAS formed an Interim Government of National Unity in Gambia, but Taylor and others refused to work with it. ECOWAS also deployed an intervention force (the Monitoring Observer Group, known by its acronym ECOMOG) to Monrovia, and prevented Taylor from taking the capital city.<sup>393</sup> In 1993, the United Nations deployed 300 observers to Monrovia in an operation called UNOMIL. Through 1997, the United Nations also supported the expansion of ECOMOG to 13,500 troops.<sup>394</sup>

During this period, over a dozen peace accords were signed. Eventually, a five-person transitional government was formed and Taylor “won” the elections in July 1997 after threatening to resume war if not elected. Under Taylor’s presidency, between 1997 and 2003, the situation did not improve for Liberians; unemployment and illiteracy remained at over 75 percent. Moreover, Taylor continued to support the notoriously violent Revolutionary United Front (RUF) in Sierra Leone. In 1999, the short lived Lomé Accord failed to prevent war in Sierra Leone and, in 2000, the RUF took 500 UN peacekeepers hostage there. The RUF was then pushed out by British intervention and a UN peacekeeping mission, UNAMSIL, helped stabilize Sierra Leone.<sup>395</sup>

Meanwhile, Taylor’s former adversaries, Liberians United for Reconciliation and Democracy (LURD) and the Movement for Democracy in Liberia (MODEL) joined to topple the Taylor regime. In June 2003, Taylor was indicted for war crimes by the Special Court for Sierra Leone. Fighting continued and by August 2003, the LURD and MODEL closed in on Monrovia.<sup>396</sup> Taylor fled to Nigeria, opening the way for a new government and an expanded UN peace operation. On 28 August 2003, the Comprehensive Peace Agreement created the National Transitional Government of Liberia (NTGL). ECOWAS also deployed a small force, ECOMIL, to provide security until the UN-authorized peacekeeping mission, UNMIL, was deployed.<sup>397</sup> The corrupt NTGL ran Liberia until Ellen Johnson-Sirleaf was elected to the Liberian presidency in December 2005, in elections deemed generally free and transparent. In January 2006, Johnson-Sirleaf quickly won support from Nigeria for Taylor’s arrest and transfer to the Special Court for Sierra Leone.<sup>398</sup>

Despite Johnson-Sirleaf’s election and her public commitment to reform and good governance, many challenges remain for Liberia. In its June 2007 report, the Panel detailed the situation in the country explaining that the legislature was still slow in its work, that the judiciary sector remained in shambles, and that insufficient capacity in the Liberian civil service had rendered the government unable to spend the money it collected from taxes.<sup>399</sup>

<sup>393</sup> International Crisis Group, “Liberia: The Key to Ending Regional Instability,” Africa Report N. 43, 24 April 2002, pp. 1-2.

<sup>394</sup> Festus B. Aboagye and Alhahi M.S. Bah, “Liberia at a Crossroads: A preliminary look at the United Nations Mission in Liberia (UNMIL) and the protection of civilians,” ISS Paper 95 (Pretoria: Institute for Security Studies November 2004), p. 2.

<sup>395</sup> *Ibid.*, p. 2.

<sup>396</sup> Aboagye and Bah 2004, “Liberia at a Crossroads,” *op. cit.*, p. 2.

<sup>397</sup> UN Security Council Resolution 1506, S/RES/1506, 12 September 2003. For a history of the Liberian conflict, see US Department of State, “Background Note: Liberia,” September 2008, available at [www.state.gov/r/pa/ei/bng/6618.htm](http://www.state.gov/r/pa/ei/bng/6618.htm).

<sup>398</sup> In 2006, Taylor was transferred to The Hague to await trial.

<sup>399</sup> United Nations, *Report of the Panel of Experts on Liberia*, S/2007/340, 7 June 2007, paras. 10-14.

Today, less than 30 percent of Liberians have access to safe drinking water and less than a quarter to adequate sanitation.<sup>400</sup> Liberia remains one of the world's poorest countries, particularly after a 14-year civil war collapsed its economy. As of 2008, Liberia's population of 3.4 million had a life expectancy of 45 years. Despite a GDP growth rate of 9.4 percent in 2007, GDP per capita stood at a paltry US\$150 and 48 percent of Liberians remained illiterate.<sup>401</sup>

## **THE ROLE OF THE PANEL OF EXPERTS ON LIBERIA IN MONITORING TARGETED SANCTIONS Travel Ban<sup>402</sup>**

In response to the Sierra Leone Panel's recommendation, the Security Council first established a travel ban on key Liberian officials and their associates in 2001.<sup>403</sup> The Council has since passed nine resolutions renewing the travel ban.<sup>404</sup> Initially, the Council directed "that all States shall take the necessary measures to prevent the entry into or transit through their territories" of the identified groups "including senior Liberian government officials and army officers, their spouses, and "any other individuals providing financial and military support to armed rebel groups in countries neighboring Liberia, in particular the RUF in Sierra Leone."<sup>405</sup>

The Panel has observed numerous violations of the travel ban and offered measures to improve its effectiveness. In 2001, the Panel recommended that the United Nations create a travel ban webpage to list those sanctioned, which was created just a few months later.<sup>406</sup> Still, violations continued. In 2003, the Panel reported that several individuals on the travel ban list had left the country.<sup>407</sup> Three individuals were reported to be in Ghana—and the Panel met with one there.<sup>408</sup> Two others were seen in the United States; another had left house arrest in Côte d'Ivoire.<sup>409</sup> In 2004, the Panel provided a table detailing alleged travel ban violations.<sup>410</sup> In 2006, the Panel reported that Lebanese nationals under the travel ban, but without detailed passport information, often evaded the sanctions.<sup>411</sup> The Panel's noted that porous borders in West Africa made tracking violators in the subregion hard.<sup>412</sup> Indeed in 2007, the Panel reported that one individual had violated the ban by driving from Côte d'Ivoire to Liberia in a car with diplomatic plates.<sup>413</sup>

<sup>400</sup> Ibid., paras. 131-132.

<sup>401</sup> World Bank, "Liberia at a Glance," September 2008, available at [http://devdata.worldbank.org/AAG/lbr\\_aag.pdf](http://devdata.worldbank.org/AAG/lbr_aag.pdf).

<sup>402</sup> A UN travel ban requires member states to prevent targeted individuals from travel outside their nation of residence. There are exceptions for medical emergencies, religious obligations, and participation in internationally organized peace negotiations. The UN travel ban website for Liberia is available at [www.un.org/Docs/sc/committees/Liberia3/1521\\_list.htm](http://www.un.org/Docs/sc/committees/Liberia3/1521_list.htm).

<sup>403</sup> S/RES/1343 (2001).

<sup>404</sup> The relevant resolutions are: S/RES/1343 (2001), S/RES/1408 (2002), S/RES/1478 (2003), S/RES/1521 (2003), S/RES/1579 (2004), S/RES/1647 (2005), S/RES/1731 (2006); S/RES/1792 (2007); S/RES/1819 (2008); S/RES/1864 (2008).

<sup>405</sup> Ibid.

<sup>406</sup> S/2001/1015, 26 October 2001, para. 52; UN Security Council Resolution 1343, S/RES/1343(2001) and UN Security Council Resolution 1532, S/RES/1532, 12 March 2004. The UN website is [www.un.org/Docs/sc/committees/Liberia3/1521\\_list.htm](http://www.un.org/Docs/sc/committees/Liberia3/1521_list.htm). Governments also provide lists, i.e., the French Ministry of Finance's website is available at [www.minefi.gouv.fr/directions\\_services/dgtpe/sanctions/sanctionsliberia.php](http://www.minefi.gouv.fr/directions_services/dgtpe/sanctions/sanctionsliberia.php).

<sup>407</sup> United Nations, *Report of the Panel of Experts on Liberia*, S/2003/937, 28 October 2003.

<sup>408</sup> Ibid., para. 178.

<sup>409</sup> Ibid.

<sup>410</sup> United Nations, *Report of the Panel of Experts on Liberia*, S/2004/396, 1 June 2004, para. 153 and Table 3.

<sup>411</sup> S/2006/379, Summary, paras. 4-5.

<sup>412</sup> Ibid., S/2006/379, Summary, paras. 4-5.

<sup>413</sup> S/2007/340, para. 185.

In December 2008, the Panel reported that the Sanctions Committee on Liberia had removed three people from the travel ban list and that one other person was deceased. The Panel noted, however, that regional states still lack the capacity to implement the ban, in some cases (such as in Sierra Leone) because they do not have the updated list of persons subject to the ban. It also pointed out that only 11 of the 280 potential border crossings with Guinea are staffed. Moreover, Liberian authorities are still building their capacity in terms of customs and immigration: in November 2008, the airport in Monrovia began using a computerized immigration system. Despite this improvement, insufficient capacity, the Panel found, would account for possible violations of the travel ban.<sup>414</sup>

### Assets Freeze

In March 2003, the Panel recommended an assets freeze on officials responsible for the continuing violence in Liberia.<sup>415</sup> In imposing the ban, the Council aimed to prevent senior Taylor regime officials “from using misappropriated funds and property to interfere in the restoration of peace and stability in Liberia and the sub-region.”<sup>416</sup> The Council imposed these measures on Taylor, his immediate family members (particularly Jewell Howard Taylor and Charles Taylor, Jr.) as well as “other close allies or associates as designated by the [Sanctions] Committee.”

By late 2008, more than two dozen individuals and roughly 30 companies were listed. To facilitate the implementation of the assets freeze, the United Nations created a website which lists persons subject to the assets freeze, with names, aliases, known passport numbers, dates of birth, addresses, and reasons for their placement on the list.<sup>417</sup>

According to Panel reports, some countries (France, Germany, Ghana, Lebanon, Syria, the United Kingdom, and the United States) have frozen the relevant assets. Liberia itself has not yet done so, however, which the Panel has repeatedly pointed out.<sup>418</sup> The Security Council directed Liberia to comply with six different resolutions. In its June 2006 report, the Panel explained that Liberia had not frozen the assets because new legislation had not yet passed, but emphasized the difficulty in doing so when four persons on the assets freeze list are Senators or Representatives. The Panel disagreed, however, that such legislation was needed since the freeze could be implemented by Executive Order of the President.<sup>419</sup>

In addition, some individuals subject to the assets freeze evade it, by setting up dummy representatives on the boards of corporations with whom they work. One of these new representatives told the Panel that “he did not know that he was the Chairman of the Board. He told the Panel that he was not receiving any remuneration [from the corporation]. He did not know that as Chairman he was being paid US\$6,000 monthly.” The Panel confirmed that the payments were made by the company’s general manager, likely to a targeted individual.<sup>420</sup>

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<sup>414</sup> United Nations, *Report of the Panel of Experts on Liberia*, S/2008/785, 17 December 2008, paras. 115-125.

<sup>415</sup> United Nations, *Report of the Panel of Experts on Liberia*, S/2003/498, 28 April 2003, para. 10.

<sup>416</sup> The freeze included all assets “including funds, other financial assets, and economic resources held by entities owned or controlled, directly or indirectly, by any of them or by any persons acting on their behalf or at their direction, as designated by the Committee.” The Council instructed that the freeze should be supported by all states without delay.

<sup>417</sup> The UN website is available at [www.un.org/Docs/sc/committees/Liberia3/1532\\_afl.htm](http://www.un.org/Docs/sc/committees/Liberia3/1532_afl.htm).

<sup>418</sup> S/2006/379, para. 116, Table 6. The Panel has recommended eight times that Liberia take steps to freeze assets held in Liberia.

<sup>419</sup> S/2006/379, paras. 110-112; Author correspondence, Panel member, December 2008.

<sup>420</sup> S/2007/340, paras. 126-127.

**A TRAVEL BAN VIOLATION, A TORTURE CONVICTION:  
THE CASE OF CHARLES TAYLOR, JR.**

On 30 March 2006, Charles “Chuckie” Taylor, Jr.—Taylor’s son and one of the most famous individuals on the travel ban list—was arrested at Miami International Airport on charges of passport fraud. Taylor Jr., a US citizen who also uses the names Charles McArther Emmanuel and Roy Belfast, Jr., lied in his passport renewal application at the US embassy in Trinidad: he listed his father as Steven Smith of St. Vincent. Taylor was therefore held without bail in the Federal Detention Center in Miami. In September 2006, he pleaded guilty to charges of fraud in a Miami court and was sentenced on 7 December 2006 to 11 months in prison.

The United States filed a separate federal Grand Jury indictment against Taylor, Jr., charging him with torture, conspiracy to torture, and use of a firearm during the commission of a violent crime. The events allegedly occurred when Taylor ran his father’s anti-terrorism unit during 2002. The US Department of Justice, the Immigration and Customs Enforcement Agency, and the Federal Bureau of Investigation cooperated to obtain the indictment, for the first time invoking a US statute that criminalizes torture and gives American courts jurisdiction over crimes committed overseas if the defendant is either a US citizen or found in US territory. Mr. Belfast faces a maximum sentence of life imprisonment if convicted on all three counts. In September 2007, Mr. Belfast pleaded not guilty to the charges. In April 2008, Taylor went on trial in Miami. In September 2008, jury selection began for his trial. On 30 October 2008, Belfast was convicted “of crimes related to the torture of people in Liberia between April 1999 and July 2003,” the first such conviction under the US torture statute. The sentencing for the case is set for January 2009.

*Sources:* Alfonso Chardy and Jacqueline Charles, “Warlord’s Son Faces US Passport Charge: Liberian Warlord Charles Taylor’s Son Was Arrested in Miami, Accused of Making False Statements to Obtain a Passport,” *The Miami Herald*, 1 April 2006. US Department of Justice, Press Release, “Roy Belfast Jr. aka Chuckie Taylor Indicted on Torture Charges,” 6 December 2006; Tom Malinowski, “In Support of the ‘The Child Soldiers Accountability Act of 2007,’” Testimony, US House Judiciary Subcommittee, 8 April 2008; and, US Department of Justice, “Roy Belfast, Jr., aka Chuckie Taylor, Convicted on Torture Charges,” 30 October 2008.

In June 2008, the Panel found that some countries had frozen the assets of several listed individuals, but that the total amounts frozen were much less than what investigative reporters and the Prosecutor of the Special Court for Sierra Leone suspected should be frozen.<sup>421</sup> In discussions with Ministry of Justice and other officials, the Panel was given another reason for Liberia’s failure to implement the freeze: that Parliamentary leaders had told them legislation already existed but that steps had not been taken by other institutions to implement it (the previous reason the Panel had been told the freeze could not be implemented was that legislation was, in fact, necessary).<sup>422</sup> A Panel request for information led the Ministry of Justice to issue search warrants for two banks with bank accounts for people on the list. While some banks cooperated, others refused to provide information and the Ministry was preparing additional warrants to compel the banks to provide information.<sup>423</sup> In its December 2008, the Panel reported that no additional assets had been frozen.<sup>424</sup> In December 2008, Liberia had still not implemented the assets freeze.<sup>425</sup>

<sup>421</sup> S/2008/371, para. 84.

<sup>422</sup> *Ibid.*, paras. 87-89.

<sup>423</sup> *Ibid.*, paras. 93-98.

<sup>424</sup> S/2008/785, para. 128.

<sup>425</sup> *Ibid.*

## Weapons Embargo

The Security Council first imposed an arms embargo on Liberia in 1992, when it decided

under Chapter VII of the Charter of the United Nations, that all states shall, for the purposes of establishing peace and stability in Liberia, immediately implement a general and complete embargo on all deliveries of weapons and military equipment to Liberia until the Security Council decides otherwise.<sup>426</sup>

As seen in the *Summary Chart*, between 2001 and 2004 the Panel repeatedly urged that the embargo be renewed and strengthened, and the Security Council approved seven resolutions renewing the embargo and refining its scope. The Panel also recommended that the LURD and other non-state actors be included. Since the arms embargo already covered the territory of Liberia, non-state actors operating there were already affected. Nevertheless, the Council implemented the recommendation in 2003 by explicitly recalling that the arms embargo applied to these non-state actors.<sup>427</sup> In 2006, with the new government, the Council modified the embargo to exclude equipment to rebuild Liberia's military and police.<sup>428</sup>

### GUS KOUWENHOVEN: A GUNRUNNER SENTENCED AND ACQUITTED OF VIOLATION OF THE UN ARMS EMBARGO ON LIBERIA

The case of Gus Kouwenhoven shows how Dutch authorities successfully prosecuted one of their own citizens for violating the UN arms embargo on Liberia. On 7 June 2006, Kouwenhoven was found guilty of violating the embargo and sentenced to eight years in prison. According to the Panel of Experts report on Sierra Leone, Kouwenhoven used his Oriental Timber Company to organize exchanges of timber for weapons for Charles Taylor. Kouwenhoven's activities had led to his placement on the Liberia travel ban list. He was arrested in Rotterdam in March 2005 and convicted of using his timber company to smuggle guns into Liberia in June 2006. Though Kouwenhoven was acquitted of war crimes charges, he was sentenced to eight years in prison. In March 2008, an appeals court overturned his conviction due to lack of evidence. The prosecution has appealed, but Kouwenhoven was provisionally released until the appeal is decided.

Sources: S/2000/1195, para. 215; BBC News, "Profile: Liberia's 'Mister Gus,'" 7 June 2006; BBC News, "Dutch Arms Trade Sentence Squashed," 10 March 2008.

The Panel of Experts on Sierra Leone first highlighted the regional nature of the arms trafficking problem when it tracked illegal weapons shipments from Liberia to Sierra Leone. Charles Taylor and his associates reportedly sent weapons to Sierra Leone in flagrant violation of the embargo: indeed, Liberia purchased weapons in Eastern Europe that were transported to Sierra Leone through an elaborate network of improperly registered aircraft. The Panel suggested the creation of an end-user certificate regime to ensure weapons were delivered to those who ordered them.<sup>429</sup>

In 2005, the Panel highlighted the difficulty of collecting weapons during the DDR process. While it would be impossible to know exactly how many weapons had entered Liberia during the war (and thus

<sup>426</sup> S/RES/788 (1992), para. 8.

<sup>427</sup> S/RES/1521(2003) and UN Security Council Resolution 1647, S/RES/1647, 20 December 2005.

<sup>428</sup> S/RES/1683 (2006).

<sup>429</sup> S/2003/498, para. 10. The Panel recommended the creation of such certificates three times in 2001, 2002, and 2003.

to track all of them), it was obvious that whole lots of weapons purchased were not turned over during the DD phase of the project. The Panel had previously recorded the make and serial numbers of weapons illegally delivered to Liberia in 2002, and determined that 74 percent of the new AK-47s and 47 percent of RPG-7s (rocket propelled grenades) returned during the DDR process were missing.<sup>430</sup> Overall, in 2006, they estimated the return rate at 47 percent.<sup>431</sup>

**ILLEGAL FLIGHTS USED TO VIOLATE THE ARMS EMBARGO:  
AN EXAMPLE OF RECURRING VIOLATIONS**

A 2002 report explained how six different flights to Liberia each delivered between 21 and 40 tons of weapons. Slobodan Tescic's Belgrade-based company Temex organized the flights. According to Panel reports, the flights originated in Belgrade, refueled in Tripoli and finally landed in Monrovia between June and August 2002. The shipments included automatic rifles, missile launchers, thousands of rounds of ammunition, mines, and grenades. Most of the weapons were manufactured in the former Yugoslavia. To better deceive authorities, flight plans claimed the planes were bound for Nigeria, but the planes delivered weapons to Monrovia and then flew back to their base in Ukraine. In 2003, the Panel recorded seven illegal Liberia-bound flights with weapons and ammunition shipments. These violations led to renewed recommendations for improving flight registration information and the passage of Security Council resolutions endorsing that recommendation. According to Alex Vines, a former Panel member, while Belgrade police tried to investigate the Panel's findings, the case never reached court, most likely because Serbian authorities protected Tescic.

*Sources:* S/2002/1115, paras. 64- 67, Table 1; S/2004/396, para. 55 and Table 1; S/2000/1195, para. 32; S/RES/1343 (2001), and Alex Vines, "Can UN Arms Embargoes in Africa be Effective?," *International Affairs*, 83:6 (2006), pp. 116.

Liberia continued to face recruitment of ex-combatants for ongoing (or brewing) conflicts in the region. According to the June 2007 Panel report, former Liberian combatants were still being recruited for potential support to Guinean President Lansana Conté.<sup>432</sup> The Panel also noted that the weapons purchased for the new Armed Forces of Liberia were sold by the same Serbian company that illegally sold them to Taylor during the last war.<sup>433</sup> In December 2008, the Panel reported on concerns that former Liberian fighters now in Côte d'Ivoire were still active and a threat to both Côte d'Ivoire and Liberia. It therefore recommended increasing the capacity of Liberian border authorities to monitor these groups.<sup>434</sup>

In December 2007, the Panel reported that weapons imported to outfit the Liberian armed forces and police were accounted for, though not all officers had been selected and trained, and not all equipment delivered.<sup>435</sup> Additionally, the Panel provided a detailed account of the current status of recruiting and training (as well as weapons in use) for the army and police, highlighting some challenges. As a result of requirements for joining the Liberia force, for example, there were no qualified candidates for senior level officers; ECOWAS will provide officers until junior officers can be promoted.<sup>436</sup> The Panel also

<sup>430</sup> United Nations, S/2005/360, *Report of the Panel of Experts on Liberia*, 13 June 2005, Table 1 and Table 2, paras. 55-57.

<sup>431</sup> United Nations, S/2006/976, *Report of the Panel of Experts on Liberia*, 15 December 2006, Table 12.

<sup>432</sup> S/2007/340, paras. 146-151.

<sup>433</sup> *Ibid.*, para. 157.

<sup>434</sup> S/2008/785, paras. 187-190, 217-218.

<sup>435</sup> United Nations, S/2007/689, *Report of the Panel of Experts on Liberia*, 5 December 2007, paras. 114-123.

<sup>436</sup> *Ibid.*, para. 136.



examined the status of the reintegration portion of DDR, expressing concern that despite reintegration, former combatants maintained frequent contact with their commanders.<sup>437</sup> The Panel reported on increased crime rates, particularly in Monrovia, where armed robberies have increased tenfold since 2006.<sup>438</sup> With Liberia's continuing inability to adequately prosecute criminals, the Panel emphasized the need for continued judicial sector support and reform. It criticized a Liberian law prohibiting foreign legal professionals from providing temporary assistance until internal capacity is built.<sup>439</sup> Finally, the Panel recommended that, in the future, the Security Council and SACO use emerging standards, such as the Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, to better define exceptions to the weapons embargo.<sup>440</sup>

In June 2008, the Panel reported no significant arms embargo violations, and explained the weapons imported as exemptions authorized by the Council. Based on its investigations, however, the Panel found that Liberia's implementation of the embargo was severely hampered by its limited capacity to "monitor and police the country's borders."<sup>441</sup> Liberian customs and immigration officials lacked transportation, office space, and communications equipment. Of eleven official border crossings, only three were found to have an immigration office building.<sup>442</sup> This lack of capacity, the Panel said, makes illegal crossings extremely easy.

The Panel reported, however, that Liberia had tried to improve control over firearms. In December 2006, President Johnson-Sirleaf issued Executive Order Number 6, banning firearms and requiring Liberians to deposit their weapons at the nearest Liberian National Police (LNP) station within 60 days. LNP officers would provide receipts for the weapons. According to the Panel, "the ban was not uniformly enforced across all counties, and insignificant numbers of firearms and ammunition were deposited with LNP."<sup>443</sup> The Panel believed that the ban led many Liberians to hide their weapons—a team of divers found over 55,000 rounds of ammunition in a river bed. Moreover, many police stations do not have proper storage facilities for the weapons. Another problem, the Panel said, is that Liberia has no system for registering weapons owned by civilians.<sup>444</sup> Civil society and regional efforts are also underway to address the firearm problem in Liberia. The Panel reported that the government is working on legislation to bring the country inline with the Mano River and ECOWAS Convention on Small Arms and Light Weapons agreements. A civil society group called the Liberian Action Network on Small Arms is working with the United Nations Development Program (UNDP) to pass new firearms control legislation.<sup>445</sup>

The Panel also described continuing regional challenges to arms control. It pointed out that "national arms control processes in Côte d'Ivoire, Guinea, and Sierra Leone exist, but have not been effectively

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<sup>437</sup> Ibid., para. 150.

<sup>438</sup> Ibid., paras. 154-155. The Panel cautioned that the increase may have been caused by increased reporting.

<sup>439</sup> Ibid., para. 160.

<sup>440</sup> Ibid., para. 165. The Instrument was adopted by the General Assembly on 8 December 2005. See <http://disarmament.un.org/cab/docs/International%20instrument%20English.pdf>. The Instrument is intended to "promote and facilitate international cooperation and assistance in marking and tracing and to enhance the effectiveness of, and complement, existing bilateral, regional, and international agreements to prevent, combat, and eradicate the illicit trade in small arms and light weapons in all its aspects."

<sup>441</sup> S/2008/371, para. 49.

<sup>442</sup> Ibid., Table 4.

<sup>443</sup> Ibid., para. 52.

<sup>444</sup> Ibid., paras. 54-55.

<sup>445</sup> Ibid., para. 53.

implemented because State authorities lack the necessary resources and expertise to enforce them or are antiquated.”<sup>446</sup> Moreover, even with disarmament processes across the region, firearms remained easily obtainable. Guinea continues to manufacture some weapons.<sup>447</sup> Given these conditions and the ongoing trial of Charles Taylor, the Panel concluded that “retaining the arms embargo is a prudent approach.”<sup>448</sup>

In December 2008, the Panel reported no significant violations, but described concern about smuggling of berretta pistols and AK-47 rifles from the borders of Côte d’Ivoire and Guinea. The Panel was unable, however, to trace the weapons. The Panel also reported on exemptions to the arms embargo granted to various Liberian authorities and the safety and quality of the storage and markings for the weapons. It recommended that Liberia improve its systems for marking the weapons it uses for its national security forces.<sup>449</sup>

## **THE MANAGEMENT OF LIBERIA’S NATURAL RESOURCES AND COMMODITY SANCTIONS**

After 14 years of civil war, Liberia’s ability to meet UN conditions to lift the targeted sanctions faced formidable obstacles. The National Transitional Government of Liberia (NTGL), reluctant to reform and often seen as corrupt as the preceding Taylor regime, repeatedly argued that resource deficits constrained its ability to bring change. Johnson-Sirleaf’s election marked a significant change in the Liberian leadership’s willingness to enact reform. Since then, Liberia has taken many steps, often with international assistance, to meet the conditions for lifting sanctions. As discussed below, the Kimberley Process (KPCS), the Governance and Economic Management Assistance Program (GEMAP) and the Liberia Forest Initiative (LFI) are three initiatives that promote good governance, transparency, and combating rampant corruption in public administration. They offer good examples of how Panel findings can help a country build the rule of law, administrative capacity, and find increased stability.

### **Diamonds Embargo**

After the Panel on Sierra Leone urged a diamond export ban on Liberia, the Council agreed, directing that “all States shall take the necessary measures to prevent the direct or indirect import of all rough diamonds from Liberia, whether or not such diamonds originated in Liberia.”<sup>450</sup> The Council further called on the Liberian Government and other diamond-producing countries in the region to set up an effective Certificate of Origin regime for the trade in rough diamonds, urging all diamond-exporting countries in West Africa to establish Certificate of Origin regimes for the trade in rough diamonds similar to that adopted by the Government of Sierra Leone, *as recommended by the Panel of Experts established pursuant to Resolution 1306 (2000)*, and calls upon States, relevant international organizations, and other bodies in a position to do so to offer assistance to those Governments to that end [emphasis added].<sup>451</sup>

In its first 2001 report, the Panel suggested that Liberia join the Kimberley Process as a requirement for lifting the sanctions.<sup>452</sup> As can be seen in the Summary Chart, the Panel reiterated this recommendation

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<sup>446</sup> Ibid., para. 66.

<sup>447</sup> Ibid.

<sup>448</sup> Ibid., para. 68.

<sup>449</sup> S/2008/785, paras. 177-185, 219.

<sup>450</sup> S/RES/1343 (2001).

<sup>451</sup> Ibid., para. 16.

<sup>452</sup> S/2001/1015.

in eight subsequent reports (through 2007).<sup>453</sup> The Council adopted it in 2003, conditioning the removal of the diamonds ban upon Liberia implementing such a certification regime.

In 2001, the Panel recommended that Liberia and the international community publish figures on diamond trade. The Council did not respond, though a component of the Kimberley Process is to publish figures. In 2003, the Panel suggested that Liberia conduct a comprehensive inquiry into its diamond trade, which the Council mandated in 2005.<sup>454</sup> In 2005, the Panel recommended that UNMIL provide security to diamond mining areas and restore the rule of law in those areas.<sup>455</sup>

By May 2006, the Panel reported that Liberia had made progress: the diamond ministry had created regional offices and a Kimberley-compliant certificate.<sup>456</sup> In April 2007, the Council found that Liberia had taken sufficient steps to join the Kimberley Process and approved a 90-day lifting of the embargo and instructed Liberia to take final steps to join the Kimberley Process. On 4 May 2007, Liberia was admitted to the Process.<sup>457</sup> Since then, the Council has repeatedly asked the Panel to assess Liberia's continued compliance with Kimberley Process.<sup>458</sup>

In its June 2007 report, the Panel recommended continued capacity-building and transparency within the diamond sector. The Panel reported the commendable firing of two Ministry of Mines officials who had issued bogus mining licenses, but urged continued commitment to transparency and accountability.<sup>459</sup> By December 2007, the Panel found that Liberia was generally compliant with Kimberley Process requirements.<sup>460</sup> Nonetheless, the Ministry of Lands, Mines, and Energy had insufficient staff and Ministry employees were not trained to independently and adequately react to irregularities in the diamond export process. The Panel recommended that the Kimberley Process continue to assist Liberia in building its capacity to manage its diamond sector.<sup>461</sup>

In its June 2008 report, the Panel assessed Liberia's continued compliance with the Kimberley Process. Working closely with Kimberley Process officials, the Panel found that Liberia exported diamonds with certificates but suffered a setback when the Government Diamond Office was damaged by fire.<sup>462</sup> Some regional offices still did not have permanent space and staff went unpaid.<sup>463</sup> The Panel expressed concern over the widely varying numbers of certificates issued by Liberia's Regional Diamond Offices. That raised questions as to quality control in the offices where more certificates were issued.<sup>464</sup> For previous shipments that had not met Kimberley requirements, the Panel found that officials fined one exporter for attempting to ship diamonds without a certificate, and that Israeli authorities detained a package for lack of a certificate.<sup>465</sup>

<sup>453</sup> S/RES/1343 (2001); S/RES/1408 (2002); S/RES/1478 (2003); S/RES/1521 (2003); S/RES/1549 (2003); S/RES/1579 (2004); S/RES/1607 (2005); S/RES/1647 (2005); S/RES/1689 (2006); S/RES/1731 (2006).

<sup>454</sup> S/RES/1647(2005).

<sup>455</sup> United Nations, *Report of the Panel of Experts on Liberia*, S/2005/745, 7 December 2005, para. 59.

<sup>456</sup> S/2007/340, paras. 54-57. The last office is not functional because it lacks a helipad. Additionally, in "dry-runs" of getting a mock diamond from the mine, to the regional office, to the national office for export, all steps were successfully completed.

<sup>457</sup> Kimberley Process news release, 4 May 2007.

<sup>458</sup> S/RES/1753 (2007); S/RES/1760 (2007); S/RES/1792 (2007); and S/RES/1854 (2008).

<sup>459</sup> S/2007/340, paras. 69-76.

<sup>460</sup> S/2007/689, para. 46.

<sup>461</sup> *Ibid.*, paras. 17-70.

<sup>462</sup> S/2008/371, paras. 116-117.

<sup>463</sup> *Ibid.*, paras. 129-130.

<sup>464</sup> *Ibid.*, para. 131 and Table 9.

<sup>465</sup> *Ibid.*, paras. 123-124.

The Panel also criticized the Minister of the Diamond Office for granting an exception to normal procedures for obtaining a Kimberley certificate to someone undeserving of an exception. The Minister's staff argued it was his prerogative to do so; the Panel felt such a decision was inappropriate.<sup>466</sup> To assist, the European Commission has provided two technical advisers (one of whom is a former Panel member) to help Liberia, but the Panel raised concern that United States funding for a diamond valuator had expired, that training for mining agents is limited, that diamond dealers claim a lack of familiarity with Kimberley requirements, and that the LNP is "not involved in law enforcement activities related to diamond mining and trading."<sup>467</sup>

**PROSECUTING DIAMOND SMUGGLERS:  
AN EXAMPLE OF SUCCESSFUL USE OF THE DIAMONDS EMBARGO**

The Panel of Experts on Liberia played a crucial role in helping Belgian authorities successfully prosecute eight people for sanctions-busting diamond smuggling and money laundering. In 2001, the authorities read an article about the Panels of Experts on Sierra Leone and Liberia and their work tracking diamonds smuggling in *The Washington Post*. The article mentioned in particular two diamond and weapons traders, Samih Ossaily and Aziz Nassour. Belgian authorities then decided to contact the experts for assistance and information on how the two men had helped the RUF trade diamonds and cash for weapons. In 2005, Belgium sentenced Ossaily to three years of prison, while Nassour was sentenced to six years.

Source: Alex Vines, "Can UN Embargoes in Africa be Effective?," *International Affairs*, 83:6 (2006), pp. 115-116.

In December 2008, the Panel again reported on Liberia's compliance with the Kimberley Process and efforts to improve management of the diamond sector. During its mandate, the Panel worked with a Kimberley Process review visit, as well as with the Group of Experts on Côte d'Ivoire. The Panel reported that regional diamond offices still have not been created but UNMIL had offered assistance in building the offices by using quick-impact project funds.<sup>468</sup> In addition, the Government Diamond Office and Customs had worked to improve the training of both diamond and customs officials.<sup>469</sup> The Panel cautioned, however, that, strengthening the rule of law will take years and that Liberia needs to improve its capacity. The Panel, along with the Kimberley Process, also recommended that efforts to manage diamonds be harmonized across the region, along with the contributions of diamond mining to livelihoods in the region.<sup>470</sup>

### **Timber Embargo**

In 2000, the Panel on Sierra Leone recommended that the Security Council impose a six-month embargo on Liberian timber.<sup>471</sup> In 2001, the Panel on Liberia reiterated suggested that the ban be made permanent.<sup>472</sup> The Council took action two years later, imposing for 10 months an embargo on "the

<sup>466</sup> Ibid., para. 127.

<sup>467</sup> Ibid., paras. 119, 143-145; Author correspondence, Panel member, December 2008.

<sup>468</sup> S/2008/785, para. 31.

<sup>469</sup> Ibid., paras. 31-34.

<sup>470</sup> Ibid., paras. 22-56, 199-203.

<sup>471</sup> S/2000/1195.

<sup>472</sup> S/2001/1015.

import into their territories of all round logs and timber products originating in Liberia.”<sup>473</sup> The Council was concerned about its potential effects—the timber sector had been perceived as a motor of the Liberian economy—and asked the Panel to report on its socioeconomic impact. Finally, the Council also asked the Panel and the Secretary-General to assess Liberia’s progress in meeting the conditions for lifting the timber embargo.<sup>474</sup> In its first report following the imposition of the timber embargo, the Panel provided detailed recommendations for improving governance within the timber sector.<sup>475</sup>

#### AN EXAMPLE OF SUCCESSFUL IMPLEMENTATION OF THE TIMBER EMBARGO

The timber embargo in Liberia went into effect in July 2003. That month, the Panel reported an illegal shipment of timber from Liberia. Indeed, a timber shipment arrived in Antwerp on 25 June 2003, but Belgian customs only received justifying paperwork on 8 July 2003. The Belgian authorities impounded the shipment because it constituted a violation of the embargo.

Source: S/2003/937, para. 188.

### The Liberia Forest Initiative and the Panel of Experts on Liberia

The US Agency of International Development (USAID) launched the Liberia Forest Initiative (LFI) in April 2004 to help the Forestry Development Authority (FDA) improve governance and transparency in the country’s timber sector. Specifically, the LFI aimed to build “financial management and accountability;” increase institutional capacity by giving the “staff, skills, and means (financial and physical) to carry out its mandate;” promote “the need to plan and initiate formal forest use in a balanced, transparent manner, consistent with official Liberian policy and law laws as well as international obligations, and extractive uses;” and assist the “legitimate Liberian authorities [to] establish control over forest resources.”<sup>476</sup> The World Bank, the European Union, and Conservation International also participated in the initiative.

Leading LFI officials consider the initiative a partial response to Panel recommendations for timber sector reform.<sup>477</sup> Indeed, LFI officials have found the Panel investigations and reports very helpful in assessing the state of the Liberian forestry sector. LFI officials have briefed the Sanctions Committee on Liberia since November 2004 and its recommendations on maintaining (or lifting) the timber sanctions match the Panel’s.<sup>478</sup>

<sup>473</sup> Ibid., para. 17.

<sup>474</sup> UN Security Council Resolution 1478, S/RES/1478, 6 May 2003. The Panel’s report is S/2003/2779 and the Secretary-General’s report is S/2003/793.

<sup>475</sup> S/2003/779, paras. 84 and up. For an overview of the recommendations, see the Summary Chart.

<sup>476</sup> UN Food and Agricultural Organization, “The Liberian Forest Initiative,” available at [www.fao.org/forestry/site/lfi/en](http://www.fao.org/forestry/site/lfi/en).

<sup>477</sup> Panel remarks at Woodrow Wilson Center for Scholars event, “Conflict Timber, Sustainable Management, and the Rule of Law: Forest Sector Reform in Liberia,” with Scott Bode, Natural Resources Adviser, USAID; Peter O’Donohue, Forest Programs Officer, US Department of State; Glenn T. Prickett, Senior Vice President, Conservation International; K.W. James Rochow, World Bank Legal Adviser for Forestry Concession Review; and Robert Simpson, Liberia Program Coordinator, USDA, Forest Service, 8 June 2006.

<sup>478</sup> J.L. McAlpine, P.A. O’Donohue and O. Pierson, “Liberia: forests as a challenge and an opportunity,” *International Forestry Review*, Vol. 8(1), pp. 84-86 (2006).

In late 2005, for instance, the Panel and LFI shared similar concerns about lifting the timber sanctions prematurely and discouraging further reform. Even after Johnson-Sirleaf's election, the Panel and LFI officials felt many reforms were needed. Indeed, they found that weak FDA capacity, the necessity to include new GEMAP requirements in FDA reforms, the failure of the NTGL to cancel Liberia's overlapping and undocumented timber concessions, and the authorities' lack of control over the country's timber resources all warranted continuation of the sanctions.<sup>479</sup>

The President immediately began to address these concerns, passing Executive Order Number 1 in January 2006 to nullify all of Liberia's existing concessions and implement many Panel and LFI recommendations. As a result, the Security Council mandated a 90-day lifting of the timber embargo in June 2006 citing "the Government of Liberia's commitment to transparent management of the country's forestry resources for the benefit of Liberians and its reforms in the timber sector." The Council made a permanent lift of the timber sanctions contingent upon the enactment of forestry management legislation.<sup>480</sup> In September 2006, a new forestry law was passed.<sup>481</sup> The sanctions were therefore not renewed. Since then, the Council has asked the Panel to monitor Liberia's ability to effectively administer its timber sector and implement the required forestry legislation, passing four resolutions.<sup>482</sup>

A year later, the Panel's June report assessed the effect of the sanctions and the country's ability to properly manage timber. Those employed in the timber sector had dropped by five to eight thousand jobs, Liberia had experienced a more than 50 percent drop in income from foreign trade, and serious deterioration of roadways had occurred (because logging companies no longer maintained them). A Panel member cautioned, however, that sanctions were not the primary cause of this downturn: many jobs had been lost as the logging companies left Liberia during the war, long before sanctions were imposed in 2003. The Panel explained that once the timber sector was rebuilt and at full capacity—something the embargo would provide both time and incentive to do properly—it would provide only US\$80 million in revenue to the Liberian government. Moreover, just 2,000 people would be needed to work in that sector. The Panel noted that close to 2,000 people currently worked as illegal pit-sawyers and could be absorbed into the legal exploitation of timber.<sup>483</sup> The Panel therefore found that the impact of the timber embargo on the population was less than had been imagined.

Concerning progress in managing the timber sector, the Panel recommended that Liberia prosecute those found by an EU audit to have misappropriated funds even if no longer at the FDA. The Panel urged that timber companies owing back-taxes not be granted concessions until they paid arrears. Finally, the Panel advised that all timber shipments be monitored to ensure transparency, accountability, and legal exportation.<sup>484</sup>

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<sup>479</sup> McAlpine, Donohue, and Pearson 2006, op. cit., p. 89.

<sup>480</sup> UN Security Council Resolution 1689, S/RES/1689 (2006), 20 June 2006, para. 2.

<sup>481</sup> The law allocated forest resources to three management regimes: first, to protect parks and reserves; second, for community forestry; and finally, for sale by competitive bid. See Richard Black, "New Dawn for Liberia's 'Blood Forests,'" *BBC News*, 12 October 2006.

<sup>482</sup> S/RES/1731 (2006); S/RES/1760 (2007); S/RES/1792 (2007); S/RES/1854 (2008).

<sup>483</sup> S/2006/379, para. 151. The timber sector is nonetheless important for the Liberian government's revenue. In 2004/2005, the Panel itself reported that the National Transitional Government collected US\$79.34 million from timber related activities. See S/2005/745, para. 84.

<sup>484</sup> S/2007/340, paras. 43-47.

Liberia has since continued to make in the management of its timber sector. While the one-year deadline for the passage of a community forestry law had passed, work continued on developing the law by June 2008.<sup>485</sup> The Panel found that the FDA has completed many steps required to issue logging concession contracts.<sup>486</sup> Still, the Panel was concerned that the bidding process for these contracts would not be sufficiently transparent and that, in two instances, the FDA had not done due diligence on two companies awarded initial contracts.<sup>487</sup> It therefore urged better training for personnel and procedures to remedy the problems in bidding and contracting.<sup>488</sup>

In December 2008, the Panel reported that a community rights law had been passed by the Senate and House and submitted to the President. The Panel expressed concerns about the legislation, its fairness and its requirements. The Panel also reported on the awarding of commercial timber concessions and expressed worry over the fact that FDA is “often not aware of the legal requirements” of awarding such concessions or is “unable to follow them.”<sup>489</sup> The Panel recommended that “Liberia reassess its strategy for allocating commercial timber concessions” to ensure that authorities abide by their legal obligations. The Panel also recommended that the international community engage with Liberia and help the country “sustain the significant investments made to date.”<sup>490</sup>

## FINANCIAL MANAGEMENT

### The Governance and Economic Management Assistance Program

GEMAP is a wide-ranging three-year effort to provide external support to the governance in Liberia’s public administration. Initiated in September 2005 with an agreement among the National Transitional Government of Liberia (NTGL), the United Nations, the World Bank, EU, IMF, ECOWAS, and the AU—as well as the governments of Ghana, Nigeria, and the United States—GEMAP is designed to help the Liberian government repair its broken financial management system and thus calls for the placement of international financial monitors within Liberia’s key state owned industries.<sup>491</sup> By building capacity and the ability to meet international transparency, audit, and governance standards, Liberia would almost automatically meet the Security Council’s requirements for lifting the targeted sanctions, become eligible for debt relief, and probably benefit from increased international assistance.

Interestingly, the Panel had highlighted the gaps in the NTGL’s capacity to manage Liberia’s state-owned agencies. In June 2005, the Panel stated that “one possible solution to hasten the lifting of the sanctions is to install a management organization to control the forestry sector.”<sup>492</sup> The program could therefore be viewed as an example of how Panel reports, by highlighting deficiencies in governance in post-conflict states, contributed to addressing those deficiencies.

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<sup>485</sup> S/2008/371, para. 152.

<sup>486</sup> Ibid., para. 156.

<sup>487</sup> Ibid., paras. 166-167.

<sup>488</sup> Ibid., paras. 219-227.

<sup>489</sup> S/2008/785, para. 70.

<sup>490</sup> Ibid., para. 205.

<sup>491</sup> The World Bank’s GEMAP website is available at

<http://siteresources.worldbank.org/LIBERIAEXTN/Resources/GEMAP.pdf>. See also [www.gemapliberia.org](http://www.gemapliberia.org). Its objectives include: financial management and accountability; improving budgeting and expenditure management; improving procurement practices and granting of concessions; establishing effective processes to control corruption; supporting key institutions; and capacity building. See Renata Dwan and Laura Bailey, *Liberia’s Governance and Economic Management Assistance Program (GEMAP)*, joint review by the Department of Peacekeeping Operations Peacekeeping Best Practices Section and the World Bank Fragile States Group, May 2006.

<sup>492</sup> S/2005/360, para. 145.

In its June 2007 report, the Panel detailed developments within GEMAP, explaining that a new GEMAP comptroller had arrived at the Ministry of Lands, Mines, and Energy. The new controller had begun a “major, multi-resource concessions review within the Ministry.”<sup>493</sup> The Panel recommended that GEMAP financial controllers systematically attend board meetings for the state-owned enterprises they monitor.<sup>494</sup> The Panel report included a long section on the Liberian government’s financial position, financial irregularities in the various ministries, instances of missing revenue, and recommendations for ensuring continued transparency and accountability for Liberia’s public funds.<sup>495</sup> In December 2007, the Panel examined Liberia’s progress in managing its resources and national budget. Concerning the FDA, for example, the Panel found that agency officials exceeded their travel budget by 148 percent. Moreover, the expenses were not properly justified. To prevent abuse, the Panel recommended that these expenses be reviewed.<sup>496</sup> Finally, the Panel reported that while Liberia’s financial posture continued to improve, it still needed to build financial management and planning capacity.<sup>497</sup>

## CHALLENGES FOR THE LIBERIA PANEL

### The Panel and Liberian Authorities

The Panel has received mixed cooperation from Liberian authorities. While Taylor was in power, the Panel received several accounts from Liberian government officials and private citizens who were harassed and beaten for suspected cooperation with the Panel. The Panel therefore withheld the names of some sources.<sup>498</sup> In 2002, the Panel also reported on government retaliation against a Liberian newspaper which had run a November 2001 story about travel ban violations. The paper reportedly “found itself suddenly confronted with a massive tax arrears demand and was forced to cease publication for several weeks.”<sup>499</sup> The Panel was forced to decline participating in an April 2002 radio show because the radio station feared political repercussions for not criticizing sanctions and discussing the Panel’s work.<sup>500</sup>

The Transitional Government similarly obstructed the Panel’s work. In 2003, for example, NTGL officials gave Panelists the runaround, blaming looters and vandals for destroying official documents.<sup>501</sup> In 2004, the NTGL Minister of Defense (who had also been Taylor’s minister) refused to help the Panel investigate a 2003 weapons shipment to Liberia, claiming to know nothing about the shipments (despite the fact that Taylor admitted to importing the weapons).<sup>502</sup> Similarly, the NTGL refused to provide the Panel with its budget for Liberia.<sup>503</sup>

The Panel did recognize, however, that in some cases, the relevant ministries simply lacked the capacity to provide the Panel with the information it needed.<sup>504</sup> During the NTGL, cooperation with the Panel was therefore mixed and the Panel systematically reported on alleged corruption within that

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<sup>493</sup> S/2007/340, para. 69.

<sup>494</sup> *Ibid.*, para. 119.

<sup>495</sup> *Ibid.*, paras. 77-119.

<sup>496</sup> S/2007/689, paras. 94-102.

<sup>497</sup> *Ibid.*, para. 14.

<sup>498</sup> S/2002/1115, para. 58.

<sup>499</sup> S/2002/470, para. 170.

<sup>500</sup> *Ibid.*; S/2002/470, para. 170.

<sup>501</sup> S/2003/937, Annex III.

<sup>502</sup> S/2004/396, para. 53; S/2003/498, paras. 69-70. Some officials, such as in the civil aviation administration, provided the Panel both information and easy access. See S/2004/396, paras. 74-75.

<sup>503</sup> *Ibid.*, para. 83.

<sup>504</sup> *Ibid.*, para. 96.



administration. More recently, the Panel has benefited from widespread cooperation with the Johnson-Sirleaf government. Nonetheless, the Panel has called for reform in Liberia and for improved accountability of government officials.<sup>505</sup>

**PANEL REPORTS ON CORRUPTION BY FORMER LIBERIAN LEADERS LEAD TO INVESTIGATIONS AND INDICTMENTS**

According to the Panel's December 2006 report, former NTGL Chairman Gyude Bryant received cash totaling more than US\$400,000 for certain trips during 2005 and early 2006. He also made illegal payments to lobbyists to prevent the National Transitional Legislative Assembly from passing legislation on petroleum imports. Bryant denies those payments were made, but former Speaker Snowe says he personally approved them without obtaining receipts. According to an ECOWAS audit performed in 2005 and released in mid-2006, Bryant should be held accountable for US\$667,000 of misappropriated funds. When the Panel met with Bryant to discuss the results of the audit, he said he was "under no obligation to disclose the purpose for which the funds had been used and he dared the government to prosecute him."

In March 2007, Bryant was arrested on corruption charges and accused of embezzling US\$1.4 million. He was released on bail to await his trial. Just weeks after resigning as speaker of the House of Representatives in April 2007, Edwin Snowe also faced a police investigation for corruption, and was reportedly unable to account for more than US\$1 million after an audit of the Liberian Petroleum Refinery Company, which he managed during the Transitional Government.

*Sources:* S/2006/976, Table 6 and Table 7, paras. 120-126, para. 142. "Former Liberian President Arrested on Corruption Charges, Freed on Bail," *VOA News*, 14 March 2007. "Liberia's Former Speaker Snowe Faces Police Probe for Graft," *Angola Press*, 2 April 2007.

### **The Panel and UNMIL**

As discussed earlier, UNMIL, has a limited mandate to cooperate with the Panel and Liberia Sanctions Committee in monitoring the sanctions.<sup>506</sup> In particular, UNMIL provided the Panel with logistical and administrative support, including office facilities, transportation, and security. The Mission has also provided the Panel with security escorts and air support for aerial reconnaissance missions.<sup>507</sup> In June 2005, UNMIL created a Working Group on Sanctions to improve its coordination with the Panel and to monitor the sanctions. The Group meets regularly to coordinate the mission's sanctions-related activities, in particular support to police and judicial authorities as well as for natural resource management. UNMIL's Group has also met with the Panel upon request.<sup>508</sup>

UNMIL civilian police helped monitor Liberia's borders, particularly sea and airports, in Monrovia. The mission focused on monitoring commercial activities for possible sanctions violations and helped track individuals subject to the travel ban. UNMIL assisted the Panel by working with other UN peace

<sup>505</sup> S/2007/340.

<sup>506</sup> S/RES/1521 (2003).

<sup>507</sup> United Nations, *Eleventh Progress Report of the Secretary-General on the United Nations Mission in Liberia*, S/2005/376, 9 June 2006, para. 21. The Secretary-General also reported that "UNMIL provided similar support to the Kimberley Process expert mission, which visited Liberia from 14 to 18 February 2005, to assess the country's state of readiness to participate in the Kimberley Process certification scheme."

<sup>508</sup> S/2005/376, para. 20.

operations in neighboring Sierra Leone (UNAMSIL) and Côte d'Ivoire (UNOCI), sharing information on “illegal border activities.”<sup>509</sup>

UNMIL launched a public information campaign to help the NTGL “sensitize the public” on the rationale and impact of the sanctions, including radio programs and interviews with the Panel, journalists and members of civil society.<sup>510</sup> Concerning the travel ban, UNMIL provided added information about the sanctions to the Council, Sanctions Committee, and member states.<sup>511</sup>

Finally, UNMIL continues to play an important part in restoring the rule of law in Liberia and helping authorities work toward lifting the sanctions. Concerning the diamonds embargo, for example, UNMIL helped train, equip and deploy “65 mineral inspectors and 46 mining agents to the interior of the country, to institute Kimberley Process certification scheme procedures.”<sup>512</sup> In December 2008, the Panel reported that UNMIL offered to help address a significant capacity gap by offering to build regional diamond offices using quick-impact project funds. This kind of cooperation, or rather response to gaps identified by Panels, helps to build the rule of law in Liberia.

The Panel has also helped UNMIL save money. In June 2007, the Panel informed UNMIL that it been overcharged for fuel. With the Panel’s documentation, UNMIL was refunded US\$1.77 million.<sup>513</sup> In terms of police and rule of law personnel, as of March 2008, UNMIL had trained 3,362 police officers who are paid US\$90 a month. The Panel, however, pointed out that officers who work in the countryside must travel to the capital to receive payment.<sup>514</sup> The Panel reported that despite UNMIL’s efforts to train lawyers and send them to support the local courts, “most courts cannot function properly for lack of the most basic equipment, such as typewriters and paper.” As a result, the Panel “believes that support in those areas would have a substantial and rapid impact” and could lead to integration with other UN-led activities.<sup>515</sup>

## **SECURITY COUNCIL DECISIONS AND THE PANEL OF EXPERTS**

The Panel played an important role in helping the Security Council determine whether conditions for lifting the sanctions had been met. The Council repeatedly used Panel reports to help determine whether sanctions should remain in force. In April 2002, for example, the Panel called for the Liberian government to systematically audit all state-owned agencies and for government activities to ensure that collected revenues were not diverted.<sup>516</sup> A month later, the Council called for the establishment of audit capabilities across the Liberian government. In 2003, the Council explicitly stated it would consider lifting the diamonds embargo only when, “taking into account expert advice obtained through the Secretary-General,” it determined that Liberia had taken sufficient steps to join the Kimberley Process.<sup>517</sup> In 2004, a Security Council resolution stated that the Council review the diamond sanctions in light

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<sup>509</sup> Ibid., para. 23; United Nations, *Tenth Progress Report of the Secretary-General on the United Nations Mission in Liberia*, S/2006/159, 14 March 2006, para. 9.

<sup>510</sup> Ibid., para. 27.

<sup>511</sup> S/2005/376, para. 27.

<sup>512</sup> Ibid., para. 4.

<sup>513</sup> S/2007/340, para. 95.

<sup>514</sup> S/2006/976, para. 164; United Nations, *Sixteenth Progress Report of the Secretary-General on UNMIL*, S/2008/183, 19 March 2008, para. 20.

<sup>515</sup> Ibid., para. 176.

<sup>516</sup> S/2002/470, para. 9; UN Security Council Resolution 1408, S/RES/1408, 6 May 2002, para. 8.

<sup>517</sup> S/RES/1478 (2003); S/RES/1521 (2003), para. 8.

of the “Kimberley Process visit and the preliminary report of the Panel of Experts.”<sup>518</sup> Subsequent resolutions reiterate this point: that the Council will use *expert* advice to determine when to lift the sanctions.

In several reports, the Panel also explicitly stated whether or not the conditions for lifting the sanctions had been met. In October 2003, for example, the Panel determined the conditions for lifting the diamonds embargo had not been met because Liberia was not yet eligible to join the Kimberley Process.<sup>519</sup> Concerning timber, the Panel similarly argued that “without sufficient security, timber companies will need to provide their own protection forces and conflict could resume,” adding that without financial reform, corruption would continue.<sup>520</sup> In 2004, the Panel plainly stated that the Liberian “FDA has not completed the reforms required.”<sup>521</sup> The report also recommended that diamond sanctions be maintained because Liberia was again not eligible to join the Kimberley Process.<sup>522</sup> Similarly, on timber, the Panel reported that few of the necessary reforms had been implemented and added that “a professional management team should be brought in to run FDA.”<sup>523</sup> The experts also noted that Liberia required additional funding and additional technical assistance to meet those conditions.<sup>524</sup> That year, the Security Council renewed the diamond and timber sanctions, explicitly recognizing the Panel’s report and the Experts’ recommendations.<sup>525</sup> In 2005, the Panel reported that “should sanctions be lifted, there is no reason to believe that government revenues will be used for the benefit of the Liberian people.”<sup>526</sup> The report added that the awarding of an exclusive contract to Mittal Steel (with permission for the company to operate its own security force) “suggests that Liberians cannot rely on their government and the international community to protect their interests.”<sup>527</sup>

In its June 2006 report, the Panel found that recommendations made in seven previous reports, spanning from 2003 through 2005, remained valid.<sup>528</sup> In both of its 2006 reports, the Panel added that while the government had taken several steps to meet the requirements towards lifting diamonds sanctions, “harmonization of these components is still some months off.”<sup>529</sup> In its June 2007 report, the Panel reported that Liberia continued to make progress toward accountability and transparency in managing its finances. Still, while the Panel commended the indictment of NTGL officials for corruption, it emphasized that this accountability needed to trickle down to all government officials (since few, if any, lower levels officials have reportedly been dismissed for demanding bribes, for example).<sup>530</sup>

## ASSESSING IMPACT

The Panels of Experts on Liberia and Sierra Leone have played an essential role in revealing how corruption and illegal trade in arms, timber and diamonds fueled the brutal 14-year civil war in Liberia. The Sierra Leone Panel’s report provided the Security Council with the grounds to impose sanctions on

<sup>518</sup> UN Security Council Resolution 1759, S/RES/1759 (2004), para. 1.

<sup>519</sup> United Nations, *Report of the Panel of Experts on Liberia*, S/2003/937, 28 October 2003, paras. 27-28, 95.

<sup>520</sup> *Ibid.*, paras. 118-119.

<sup>521</sup> S/2004/955, para. 4.

<sup>522</sup> *Ibid.*, para. 110.

<sup>523</sup> *Ibid.*, paras. 134, 138.

<sup>524</sup> *Ibid.*, para. 111.

<sup>525</sup> S/RES/1579 (2004), *op. cit.*

<sup>526</sup> S/2005/745, para. 81.

<sup>527</sup> *Ibid.*, para. 110.

<sup>528</sup> United Nations, *Report of the Panel of Experts on Liberia*, S/2003/779, 7 August 2003; S/2005/745; S/2006/379, para. 30.

<sup>529</sup> *Ibid.*, para. 65 and S/2006/976, para. 52.

<sup>530</sup> S/2007/340.

Liberia. In turn, the Panel on Liberia helped identify the causes of conflict and highlighted those dynamics in its reports. The Liberia Panel reports offered documentation of the government's policies toward lifting the sanctions and the progress made in fighting corruption and creating a government that, rather than enriching its leaders, serves the population. The Liberia Panel, particularly its reports and recommendations, continues to impact the post-conflict efforts for governance and peace today.

The Panel on Liberia, in its June 2007 report, argued that despite loss of income, sanctions had nonetheless benefited Liberia in the long term:

It could now be argued that the most significant positive impact of the sanctions, in addition to ending the factional fighting over the resources, is that the Government and its international partners were compelled to undertake a systematic and comprehensive set of reforms in the natural resources sector. This involved a wide range of stakeholders that helped to ensure a comparatively transparent and participatory reform process, thus laying the foundation for enhancing the role of civil society and the local communities in helping to steer and monitor the sector in the future.<sup>531</sup>

At that time, the Panel assessed progress being made in reforming the timber sector and concluded that “without United Nations sanctions, it is unlikely that the comprehensive forestry reforms would have occurred.”<sup>532</sup> The Panel cautioned, however, that much work remains and recommended that “in order to send a clear message that the culture of impunity is over, the Ministry of Justice must pursue the prosecution for misappropriation of those identified in the EC-funded audit of FDA, even though they no longer work at FDA.”<sup>533</sup>

Furthermore, recent developments in Liberia suggest that the Panel truly played an important role. The Panel not only raised awareness about sanctions, but also ensured that public officials behave with integrity and transparency. The Panel is perhaps one of the only entities working in Liberia that can freely describe, and provide compelling evidence of, instances of corruption, sanctions violations, and threats to peace and the rule of law. People in Liberia reportedly know that the Panel exists, they understand its mandate, and many read the reports. Moreover, the reports have led to legal action against many NTGL officials and there is a perception that the threat of exposure in Panel reports is helping keep the Johnson-Sirleaf Administration honest. In other words, Panel reports can give a picture of the situation in Liberia, by exposing gaps in capacity, while simultaneously offering recommendations to address them.<sup>534</sup>

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<sup>531</sup> Ibid, para. 136.

<sup>532</sup> Ibid., para. 44.

<sup>533</sup> Ibid., para. 45

<sup>534</sup> Author interview, UN official, July 2007.

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**CONCLUSION**

Since their first use for Rwanda, Angola, and Sierra Leone, the Security Council has directed United Nations Panels of Experts to go beyond basic fact-finding of sanctions violations to more in-depth analysis of *how* and *why*, by whom, and where UN targeted sanctions are undermined. This conclusion considers how to strengthen and improve Panel work and international responses to sanctions implementation and violations. It also offers recommendations for using Panels to develop a more successful and comprehensive UN approach to address corruption, criminality, and challenges to peace.

**Why Panels Matter**

Over the last decade, these teams of experts have provided vivid pictures of peace spoilers. Their reports span multiple continents and conflict zones, from Angola to Antwerp, from New York to Nairobi. They trace weapons sales and airline routes, analyze bank documents and phone records, and persuade border guards and national leaders to answer their questions. Armed with notebooks and a UN mandate, these Panels come back with data on the complex mix of impediments to sanctions implementation. The causes range from the dramatic role of warlords and militias to the mundane details of governance and greed. Together, they document how this mix of actors—whether bureaucrats or arms dealers—traffic weapons, exploit commodities, and build illicit networks that undermine peace and the rule of law.

Panel recommendations offer the Council specific, practical, and often nuanced guidance to help implement sanctions. Their suggestions aim to build national-level government capacity, to restrict arms suppliers, to reform commodity management, and to effectively monitor borders. Today, Panel reports on Côte d’Ivoire, the DRC, Liberia, Somalia, and Sudan provide valuable information on what ails these countries, which actors have a hand in undermining peace, and how host countries, donor states, and international organizations should address these problems. Their findings also suggest how to make sanctions more useful, both to prevent conflict and to support national and international governance, rule of law, and security assistance efforts.

This study makes the case that to maximize the potential of Panel efforts, they deserve greater attention from and use by the United Nations and member states. The enormous concern of the Security Council for international peace and security is the basis for using sanctions. Thus, sanctions are often applied during a crisis; Panel reports then spotlight key issues and publicly name dangerous actors. After the Panels for Liberia and Sierra Leone identified actions by Charles Taylor and the RUF rebels, the Council implemented arms, diamonds, and timber embargoes. These laid the groundwork for assisting Liberia’s new government on a path toward transparent better governance and use of its natural resources.

This study has also looked at DPA and UN Secretariat support for Panels and sanctions implementation. We found that the growth in the Security Council’s appointment of Panels has not been married with resources for the Secretariat to support this enterprise. More fundamentally, the United Nations does not have a systematic way of cataloguing—let alone tracking—member state actions to implement sanctions

and Panel recommendations. In general, Panel reporting could naturally assist strategies for UN peace operations and international peacebuilding efforts.

### **Challenges for the Implementation of Sanctions and Panel Recommendations**

The growth in Panels and their widened mandates suggest that the Security Council and its Sanctions Committees rely on them. This apparent enthusiasm, however, is not equally matched by the active backing of many member states or more consistent Council strategies to support sanctions implementation. Some countries and their leaders remain unfamiliar either with UN targeted sanctions regimes, or with the Panels' role and mandates, slowing cooperation. Without a more systematic source of member state reporting on implementation, the sanctions remain far from public attention, less operational, and not used to greatest effect. Further, not all Panels produce the same depth and quality of analysis, insight, and actionable recommendations. This can undermine their effectiveness as well.

While the Council knows that sanctions are being violated, it often renews the sanctions and Panel mandates without taking sufficient steps to mitigate violations and to ensure that the Panel work productively. This sends a mixed message: sanctions are imposed with the authority of Chapter VII but not backed by consistent action. The Panels report on which states cooperate and which states obstruct their work, but there are few consequences if, deliberately or not, countries directly hamper Panel efforts or violate sanctions. In fact many Panel findings and recommendations are rarely noticed. This weakens the Council's credibility and reduces support for UN resolutions. Moreover, when states lack capacity to implement sanctions or Panel recommendations, there is no clear way to match need with capacity-building assistance. While not all reports contain valuable or actionable recommendations, this study has demonstrated that UN Panels could be made more effective, that their findings are under-utilized, and that implementation of their recommendations, if integrated with wider efforts to build the rule of law, could contribute to building peace and security.

### **THE REFORM AGENDA**

The United Nations has begun to recognize and resolve some of the challenges that Panels regularly face. It is encouraging nations to make targeted sanctions implementation more systematic and more effective. For example, the Secretary-General's High-level Panel, in its 2004 report, *Threats, Challenges and Change*, urged that monitoring mechanisms (such as Panels) be systematically created when sanctions are imposed and supported with adequate authority and funding. The High-level Panel highlighted the need for sanctions committees to "develop improved guidelines and reporting procedures to assist States in sanctions implementation, and to improve procedures for maintaining accurate lists of individuals and entities subject to sanctions."<sup>535</sup> The report suggested that the Secretary-General appoint a senior official to examine best practices for targeting sanctions and coordinating their implementation. Finally, the report urged the Council to consider imposing sanctions against those involved in sanctions-busting.

In 2005, leaders at the UN World Summit reiterated the importance of sanctions as a tool to "maintain international peace and security without recourse to the use of force."<sup>536</sup> The Summit Outcome document urged that sanctions be properly targeted to avoid socioeconomic impact on civilians and third states, and for sanctions to be effectively monitored and periodically reviewed. The document also

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<sup>535</sup> United Nations, *Report of the Secretary-General's High-level Panel on Threats, Challenges, and Change*, A/59/565, 2 December 2004, paras. 55-56.

<sup>536</sup> United Nations General Assembly Resolution, *World Summit Outcome*, A/RES/60/1, 24 October 2005, para. 106.

called for the establishment of clear procedures for listing and delisting individuals on sanctions lists, as well as for the granting of humanitarian exceptions.<sup>537</sup> Finally, nations at the World Summit declared support for “efforts through the United Nations to strengthen state capacity to implement sanctions provisions.”<sup>538</sup>

In his April 2008 report on small arms, the Secretary-General also recognized the need to explore “possibilities for further improving the monitoring of Security Council arms embargoes.”<sup>539</sup> In particular, he suggested that the Council examine ways in which Panels could work better with each other, with peace operations, with member states, and with other international and regional organizations. Additionally, he suggested that peace operations with a mandate to monitor arms embargoes create (as UNOCI has) a dedicated embargo cell.<sup>540</sup>

## ADDRESSING GAPS

The first step towards making the Panels more effective is to increase their organizational and administration support from the UN Secretariat and the Security Council. Second, Panel functions themselves need to be better managed and professionalized. Third, the effective use of sanctions and of Panel findings requires more systematic member state implementation of targeted sanctions and responsiveness to Panel recommendations. Fourth, improved cooperation between Panels and UN peacebuilding functions would be useful.

### **Organizational and Administration Support from the Secretariat and the Council**

The UN Secretariat struggles to support effective administration, resourcing, recruitment, preparation, logistics, backstopping, and continuity of Panels throughout their mandates. Some simple reforms could have substantive impact. As reflected in the Interlaken, Bonn-Berlin, and Stockholm Process reports on sanctions implementation, needed measures include increasing the staff of the Sanctions Branch, creating an information database and improved roster of experts, and ensuring that Sanctions Committee members have sufficient resources to operate and travel to the region as necessary.<sup>541</sup> Today, these recommendations are still baseline priorities.

Fundamentally, the UN Secretariat needs greater professional capacity within the Department of Political Affairs to support the work of the Panels, the Sanctions Committees, and the Security Council. Panels have requested and need increased administrative support, such as for travel arrangements. The DPA staff needs to be increased so that each sanctions regime has a dedicated professional political affairs officer to support it. Strengthened DPA backing should lend increased professional and administrative capacity for the substantive research and analytic role as well. Because Panel members and Sanctions Committees have different priorities for the DPA, clearer guidelines in terms of the support expected would also be useful.

In direct support to the Panels, the DPA needs to formalize and standardize the orientation it provides to new Panel members. Experts seek more substantive preparation about the history and actors in the region they will be analyzing. As part of a more regularized briefing effort, the UN Secretariat has

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<sup>537</sup> Ibid., paras. 106-110.

<sup>538</sup> Ibid., para. 110.

<sup>539</sup> S/2008/258, Summary.

<sup>540</sup> Ibid., Recommendations 4 and 5.

<sup>541</sup> Stockholm Process, Box 9, p. 53.

developed a basic (though informal) handbook for Panel members that currently covers the UN rules under which they are employed and raises pertinent legal issues, core methodology, and the operational protocols they will face. This handbook needs to be expanded and accompanied by briefings or an induction course to ensure that incoming members receive the same information from the staff, rather than rely on their Panel colleagues to brief them.

### **Panel Functions: Credibility & Effectiveness**

To ensure the quality and reliability of Panel reports and findings, better recruitment procedures should be developed. Selection of Panels members could be expedited and improved by enhancing the current computer database with updated data on individuals available and willing to serve on Panels. Similarly, a system to evaluate expert performance needs to be created and used in decisions to retain experts.

Panels have used different methodology in their investigations and adopted varied views of what qualifies as standards of data for Panel reports. The Sanctions Committees should provide clearer definitions of what constitutes a sanctions violation and answer requests for clarifications from Panels in a timely manner. The Office of Legal Affairs should increase its cooperation with the Panels, Sanctions Committees, and the DPA staff to provide additional guidance on legal issues with identifying and reporting violations of UN targeted sanctions.

The United Nations should clarify contract terms for Panel members to reduce gaps between their investigations. Panel mandates seem most effective when they run for 12 to 18 months, as is the case currently for the Panels on Côte d'Ivoire, Somalia, and Sudan. The physical security of the experts themselves is also critical, and more than an issue of working conditions. Experts' safety could understandably affect their impartiality and ability to maintain their independence, a problem that has not received the attention it deserves. The Security Council should consider imposing secondary sanctions on member states or actors who threaten the experts' safety.

Cooperation between expert groups should be strengthened. While demanding travel schedules make in-person meetings difficult, DPA plans for an online information database for storing Panel data need to be implemented and funded, as do plans for an online platform for sharing information across Panels. Those systems should allow for remote access to information, provide storage and archiving capacity, and ease contacts both between experts and across the different Panels. They should also facilitate recording experts' degree of confidence with the information they gather, something important given that they may be replaced or that their research may extend into several mandates. The platform will also help the Panels, Sanctions Committees, and the Secretariat keep one another informed about their ongoing activities, findings, and needs.

Given the rich history of Panels, the time is ripe for an annual workshop for current and former Panel members, the DPA, current and former Sanctions Committees Chairs, and members of the Working Group on Sanctions, on lessons learned from Panels of Experts, challenges in cooperation, and steps for improvement.

### **The Role of Member States**

Fundamentally, national efforts to offer support for Panel and sanctions implementation need to improve drastically. Stimson found no central site either within the United Nations, an outside government, or nongovernmental organization that collected the responses of UN member states concerning their record



in meeting UN requirements to implement targeted sanctions. Only a few countries make their compliance record publicly available. Some states are unable to report on the steps they have taken to apply sanctions. In short, there is no complete record of member state implementation.

When the Council and Sanctions Committees request member states to detail their implementation efforts to the relevant Sanctions Committees, their requests often yield vague answers or are completely ignored. States should be required to acknowledge receipt of Council resolutions and to report on the specific steps they have taken to implement the sanctions. As much as possible, those reports should be made public—so citizens know exactly which states have worked to implement targeted sanctions and which countries are delinquent even in their basic obligations

Further, there appear to be few repercussions when nations do not cooperate. Indeed, the Council's lack of responses to the sanctions violations reported by Panels reveals the Council's own ambiguous commitment to targeted sanctions. While the Council increasingly imposes targeted sanctions and directs Panels to monitor them, it does little when faced with systematic violations, or as the Panel has described in the case of Somalia, sanctions so little respected that they have no "normative value." Because these measures are imposed under Chapter VII and Panels operate under that authority, the Security Council should consider imposing secondary sanctions on individuals, entities, and member states that particularly impede the Panels' work.

With increased attention to information in Panel reports, much could also be done to improve rule of law in post-conflict states. By highlighting governance challenges, the work of the Panels can help guide the reforms necessary for countries to build sustainable and lasting peace. Where countries find reporting requirements challenging, they should be offered assistance to meet these requirements, as has been provided through the counterterrorism and monitoring regimes. To do so, sufficient funding is needed to support the Sanctions Committees on Côte d'Ivoire, the DRC, Liberia, Somalia, and Sudan, which unlike the counterterrorism committees have no specified mechanisms to match donor assistance with gaps in capacity.

To assist with this effort, the United Nations and member states could use Part II of this report, with Stimson's *Summary Charts* of the Panel's findings, to track implementation of Council-endorsed Panel recommendations. The charts could be used to build a database and interactive website should be created where UN and member state officials could share information on implementation. The site could also allow member states and other assistance providers to track where ongoing initiatives so that efforts are not duplicated.

### **Panel Cooperation with UN Operations**

Cooperation with other UN offices and missions should be strengthened and improved. UN and other peace operations should continue to the Panels for Côte d'Ivoire, DRC, Liberia, Somalia, and Sudan with logistical support. Existing close cooperation, such as information-sharing with MONUC's Joint Mission Analysis Cell (JMAC) or working closely with UNOCI's embargo cell has also proven important. The Panels report, however, that even within peace operations, the degree of information-sharing remains uneven, in part because some units and offices are not familiar with their mandates to support the Panels. Better understanding within UN missions of the role of the Panels would assist their collaboration.

As information-sharing and substantial cooperation on sanctions monitoring remain in their early stages, the Council should do more than simply request both peace operations and Panels to work together and to share information. The Council should more often apply Panels recommendations concerning ways how peace operations could help address sanctions violations. The Council should direct Panels and peace operations to cooperate both in the field and within the Secretariat. Through the Security Council, member states should clarify when Panels, peace operations, and other UN agencies are expected to work together, both to implement Panel recommendations and also to synchronize their mutual peacebuilding objectives. The Council and member states should also keep in mind, however, the repercussions of assigning additional tasks to overstretched UN operations and set realistic expectations for both the operations and the Panels.

### **Emerging Issues**

From this study, additional issues emerge for greater consideration. As Panels' roles have widened, and as the United Nations turns to them as providers of analysis and information, member states and nongovernmental actors must perceive them as independent. Increased cooperation should not result in Panels being seen as proxies for the Security Council and its members or compromise their independence which could reduce cooperation with Panel investigations.

Since Panel reports contain some of the only open-source information available on the activities of various parties in conflict-ridden countries like Somalia and Sudan, they are now also increasingly seen as analysis tools. A March 2006 General Assembly report on Special Political Missions (which include Panels) points out that "given the good reception the Panels' work generally receives from the Security Council and its Committees, it would appear that this independence serves the Council well, as the Panels can provide independent intelligence/analysis that is unavailable from any other agency."<sup>542</sup> This is a controversial role, however, because the United Nations does not traditionally engage in any kind of intelligence gathering and analysis. As a result, UN officials repeatedly cautioned against casting Panels as such a tool because many member states remain uncomfortable with identifying Panel work in this fashion.<sup>543</sup>

Additionally, the Council needs to improve its efforts to better explain sanctions. According to the Panel on Liberia, "[t]he UN has been poor at defending the Security Council's decision to impose targeted sanctions," and added that the government had blamed the sanctions for the population's suffering.<sup>544</sup> The United Nations has done little to counter such propaganda, even where it broadcast news through its radio stations.<sup>545</sup> As with other areas, public information efforts and public awareness campaigns for the Panels and Sanctions Committees on Africa need the type of support provided to the counterterrorism and weapons of mass destruction committees.

More broadly, if sanctions and their implementation are part of a UN effort to build peace, they should relate to the organization's rule of law strategy and its broadening peacebuilding ambitions. The role of sanctions and Panel investigations also has implications for how the United Nations addresses illicit

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<sup>542</sup> A/60/7/Add.37, para. 20.

<sup>543</sup> Author interview, UN official, 31 August 2007.

<sup>544</sup> S/2002/470, para. 173.

<sup>545</sup> S/2002/1115, para. 22.

networks, transnational crime, terrorism, and other threats to peace.<sup>546</sup> These areas are expanding within the Secretariat, and need more systematic analysis to support such UN roles.

Additional research is required to determine how much peace operations can realistically do to support sanctions monitoring and implementation objectives. Likewise, many international organizations are working to combat crime and threats to peace and the rule of law. Because of the complexity of these objectives, the United Nations needs to better synchronize its operational tools, including peace operations and Panels of Experts, with UNDP and other UN agencies, regional security organizations, as well as with organizations such as Interpol and the Kimberley Process. Where Panels operate in areas where the UN Peacebuilding Commission is beginning to work—such as in Burundi and Sierra Leone—cooperation could extend to those missions, as well as to neighboring Panels in Côte d’Ivoire, the DRC, and Liberia.

## **LOOKING FORWARD**

The United Nations often juggles multiple roles, including peacekeeper, mediator, relief provider, peacebuilder, development advisor, and enforcer. Among these aims, the international community is increasingly linking its efforts more effectively across the spectrum of peace and security. This study demonstrates that UN Panels and Groups of Experts could and should be better utilized by the United Nations and its member states for its primary mission—monitoring and implementing UN targeted sanctions—as well as to support an evolving, if traditionally secondary role as analytic tools that support improved peace operations and peacebuilding efforts.

By highlighting governance challenges, the work of Panels can help guide the continuing reforms countries need to build for sustainable and lasting peace. Meeting these objectives could begin at the UN Secretariat, where increased capacity will be required to support not just Panels, sanctions tracking, and sanctions implementation, but also increased coordination between the United Nation’s operational tools at headquarters and in the field. Second, the Security Council will need to clarify its strategic objectives not just in implementing sanctions, but also for peacebuilding and building the rule of law in post-conflict states. Finally, member states will have to support these objectives and efforts by increasing their cooperation with the tools the United Nations uses to implement its strategy. The United Nations will then be able to more effectively improve governance, strengthen justice and the rule of law, reduce corruption, and restore lasting peace in war-torn areas.

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<sup>546</sup> Another emerging challenge is that countries may increasingly turn to Panel reports as the basis for investigating and prosecuting suspects for sanctions-violating behavior, such as trafficking embargoed commodities, for example. Panel reports are not designed for this purpose, however.



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## **ABOUT THE STIMSON CENTER**

Founded in 1989, Stimson is a nonprofit, nongovernmental institution devoted to enhancing international peace and security through rigorous, nonpartisan analysis and results-oriented outreach on many of the most enduring and challenging problems of national and international security. Stimson focuses on three major priorities and areas of work:

- Strengthening institutions for international peace and security
- Building regional security; and
- Reducing weapons of mass destruction and transnational threats.

Stimson's approach is pragmatic – geared toward providing policy alternatives, solving problems, and overcoming obstacles to a more peaceful and secure world. Through in-depth research and analysis, we aim to understand and illuminate complex issues. By engaging policymakers, policy implementers, and nongovernmental institutions, as well as other experts, we develop and propose recommendations that are nonpartisan, actionable, and effective.

## **ABOUT THE FUTURE OF PEACE OPERATIONS PROGRAM**

Stimson's Future of Peace Operations (FOPO) program builds a broader public dialogue on the role of peace operations in resolving conflict and building lasting peace. Peace operations comprise peacekeeping, the provision of temporary, post-conflict security by internationally mandated forces and peacebuilding, those efforts undertaken by the international community to help a war-torn society create a self-sustaining peace.

The program's goals are to advance, through research and analysis, the capacity of peace operations to promote the rule of law, security sector reform, protection of civilians, and regional security; enhance US peace operations policy by building bridges between the Administration, Congress, international organizations, and NGOs; and to advance UN reforms for peacekeeping and peacebuilding and to bring those reforms to the attention of key public and policy audiences.

The program is directed by William Durch and Victoria Holt, and supported by researchers Alix Boucher, Madeline England, and Max Kelly. To learn more about the program or to offer feedback on our work, please visit [www.stimson.org/fopo](http://www.stimson.org/fopo) or contact us at 202.223.5956.



## INTRODUCTION TO PART II

This report began, as an effort to identify the findings of Panels of Experts and to track the implementation of all their recommendations. With more than six Panels and over 40 reports, this project resulted in extensive documenting of Panel findings and recommendations. But tracking the implementation of all Panel recommendations, or even a subset, proved too large a task for a small team to accomplish. The result of this work is Part II, which illustrates an effort to capture the record of implementation of targeted sanctions and Panel recommendations.

Stimson's Future of Peace Operations (FOPO) program assembled several sets of spreadsheets. The first chart of this section is a *Panel of Experts Cheat Sheet*. The spreadsheet simply provides an easy reference for Panel of Experts mandates, the resolutions under which they were created, what their mandate is, how long it is, when it was renewed and the number of the reports published as a result.

The second set is called *Comprehensive Charts*. These charts are organized by Panel and simply list Panel *recommendations*, in chronological order and by report. The third set of charts is called *Summary Charts*. These are based on the comprehensive charts and are organized by type of recommendations. The charts have a section for each broad type of sanctions monitored by the Panel. Some charts also have sections devoted for recommendations devoted to capacity building, and the co-deployed peace operations mandate.

This introduction to Part II gives more detailed descriptions of the charts, how they were created, their limitations, and how we envision they could be used. Our hope is that the *Summary Charts*, in particular, can be used to track the implementation of Panel recommendations.

### Comprehensive Charts

As their name suggests, *Comprehensive Charts* list Panel recommendations chronologically by report. They are useful for the reader who simply needs to survey *all* of a particular Panel's recommendations.

Since the recommendations are so numerous, we decided to assign the recommendations various categories because we thought users might be interested in sorting these charts by category. FOPO created six broad categories for the recommendations:

- Category 1 is called *Embargo and Sanctions* for recommendations regarding the scope of the embargo and the targeted sanctions;
- Category 2 is called *Accountability* for recommendations regarding ensuring that sanctions violators are held accountable for their behavior;
- Category 3 is called *Panel Mandate* for recommendations concerning the Panel's duties;
- Category 4 is called *State Capacity* for recommendations on improving the ability of member states to monitor and implement sanctions;
- Category 5 is called *Role of Various Actors*. This category has subcategories for each of five sub-actors, namely, for the United Nations (a); regional actors (b); Third Party States (c); Third Party non-States (d); the Target State(s);
- Category 6 is called *Peacekeeping* for recommendations concerning a peace operation's potential responsibilities.

The “General Topic” column provides a very quick description of the broad recommendation area.

### **Summary Charts**

The *Summary Charts* for each of the Panels build off the *Comprehensive Charts*. These charts are a tool for beginning to track member state sanction implementation. The *Summary Charts* are organized thematically with a section for each broad type of targeted sanctions and the related recommendations. For example, the *Summary Chart* for Liberia has Travel Ban and Aviation, Arms Embargo, Illicit Diamond Trade, Illicit Timber Trade, Improving Governance and Helping Liberia Meet Requirements for Lifting Sanctions, and UNMIL mandate sections. The left hand column summarized the recommendation the Panel made, the next column lists the Panel report and relevant paragraph number for the Panel for the recommendation. If that recommendation was made in subsequent reports, the Chart allows the reader to see that. The Security Council Resolution provides the number and year of the resolution passed to apply that recommendation. The “Security Council Response” column provides more detail as to the content of the resolution applying the resolution. Finally, the UN/member state response column describes any UN and member state response to that resolution.

### **A Caveat on Summary Charts**

We have an important **caveat** to add here. That final column is **not complete**. Indeed, due to lack of time and resources, we only filled that column to the best of our ability. Again, the column does not reflect **all** of the potential responses to a Panel recommendation. The only Panel for which the authors were able to devote more substantial time to filling out the UN/member state column is Liberia. Even in that case however, it is of course possible that we missed relevant follow-up actions or recent developments. With the other charts, it also is possible that we missed or misunderstood the relevant Security Council resolutions.

### **Uses for the Charts and a Call for Working Together to Complete Them**

Still, we feel the *Summary Charts* could be a valuable tool in tracking the implementation of Panel recommendations. They are organized to give the reader an overview of when (if at all) the Security Council took action on a recommendation. Eventually, they could tell the reader what actions member states, international organizations, and others may have taken to implement a recommendation. As such, they could serve as tools to determine how much progress has been made in building capacity for the rule of law, for example.





## UN PANELS OF EXPERTS CHEAT SHEET

Sanctions Resolutions	Creating Panels	Description	Panel Reports
<b>Angola</b>			
864 (13 Sept. 1993)		UNITA arms, military equipment, and fuel sanctions	
1127 (28 Aug. 1997)		Renews UNITA sanctions	
1173 (1998)		UNITA diamond sanctions	Letter from Sanctions Committee Chairman, S/1999/644, 4 Jun. 1999
		Fowler recommendations to Security Council	Panel Report, S/2000/203, 10 Mar. 2000
	1237 (12 Jun. 1999)	The "Fowler Report"	Final Monitoring Mechanism Report, S/2000/1225, 21 Dec. 2000
	1295 (18 Apr. 2000)		Addendum to the final Monitoring Mechanism Report, S/2001/363, 18 Apr. 2001
	1336 (23 Jan. 2001)		Supplementary Monitoring Mechanism Report, S/2001/966, 12 Oct. 2001
	1348 (19 Apr. 2001)		Additional Monitoring Mechanism Report, S/2002/486, 26 Apr. 2002
	1374 (19 Oct. 2001)		Additional Monitoring Mechanism Report, S/2002/1119, 16 Oct. 2002
	1404 (18 Apr. 2002)		Monitoring Mechanism Report, S/2002/1339, 10 Dec. 2002 (last report)
	1439 (18 Oct. 2002)		
	1448 (9 Dec. 2002)	Dissolution of the sanctions committee	
<a href="http://www.un.org/Docs/sc/committees/AngolaTemplate.htm">http://www.un.org/Docs/sc/committees/AngolaTemplate.htm</a>			
<b>Sierra Leone</b>			
1132 (8 Oct. 1997)		Establishes petroleum and arms embargo and Sanctions Committee	
1156 (16 Mar. 1998)		Lifts petroleum embargo	
1171 (5 Jun. 1998)		Reinforces embargo	
	1306 (5 Jul. 2000)	Diamond imports from Sierra Leone banned; Panel established	Panel Report, S/2000/1195, 19 Dec. 2000
1385 (19 Dec. 2001)		Diamond ban extended	
1446 (4 Dec. 2002)		Diamond ban extended	
<a href="http://www.un.org/Docs/sc/committees/SLTemplate.htm">http://www.un.org/Docs/sc/committees/SLTemplate.htm</a>			
Sanctions Committee Annual Reports, 1998-2007			

Liberia		
788 (19 Nov. 1992)		Arms embargo
985 (13 Apr. 1995)		Establishes Sanctions Committee
1343 (7 Mar. 2001)	1306 (5 Jul. 2000)	Establishes Panel on Sierra Leone
1408 (6 May 2002)	1395 (27 Feb. 2002)	Establishes new sanctions committee, establishes Panel, imposes weapons embargo, diamonds embargo on Liberia, travel ban on key officials
1478 (6 May 2003)	1458 (28 Jan. 2003)	Reappoints Panel for five weeks
1521 (22 Dec. 2003)		Renews UNSCR 1343 sanctions and re-establishes Panel
1532 (17 Mar. 2004)		Reappoints Panel for 3 months
1579 (21 Dec. 2004)	1549 (17 Jun. 2004)	Renews UNSCR 1343 sanctions and re-establishes Panel; imposes timber embargo, asks Secretary General to report on socio-economic impacts of timber embargo
1607 (21 Jun. 2005)		Establishes new sanctions committee with travel ban, arms, diamonds, and timber embargo, re-establishes Panel, imposes prohibitions on resources under Chapter VII
1647 (20 Dec. 2005)		Freezes funds of Taylor and others
1683 (13 Jun. 2006)		Re-establishes Panel for 6 months
1689 (20 Jun. 2006)		Renews prohibitions on travel, weapons and timber for 12 months and on diamonds for 6 months and re-establishes Panel
1731 (20 Dec. 2006)		Renews diamonds embargo for 6 months (to prevent expiration, others still in force) and re-establishes Panel
		Renews the measures on arms and travel for a further period of 12 months, renews the measures on diamonds and timber for six months, and re-establishes the Panel of Experts until 21 Jun. 2006
		Modifies arms embargo to exclude Johnson-Sirleaf government (army/police)
		Suspends timber embargo, renews other sanctions, extends Panel for 6 months to 20 Dec. 2006
		Renews travel ban, assets freeze and weapons embargo for 12 months (20 Dec. 2007) and renews Panel mandate through 20 Jun. 2007 (6 months)
		Panel Report, S/2001/1015, 26 Oct. 2001
		Panel Report, S/2002/470, 19 Apr. 2002
		Panel Report, S/2002/1115, 25 Oct. 2002
		Panel Report, S/2003/498, 24 Apr. 2003
		Panel Timber Report, S/2003/779, 7 Aug. 2003
		Panel Report, S/2003/937, 28 Oct. 2003
		Panel Report, S/2004/396, 1 Jun. 2004
		Panel Report, S/2004/752, 24 Sept. 2004
		Panel Report, S/2004/955, 6 Dec. 2004
		Preliminary Panel Report, S/2005/176, 17 Mar. 2005
		Panel Report, S/2005/360, 13 Jun. 2005
		Panel Report, S/2005/745, 7 Dec. 2005
		Panel Report, S/2006/379, 7 Jun. 2006
		Panel Report, S/2006/976, 15 Dec. 2006
		Panel Report, S/2007/340, 7 Jun. 2007

## UN PANELS OF EXPERTS CHEAT SHEET

Sanctions Resolutions	Creating Panels	Description	Panel Reports
1753 (27 Apr. 2007)		Temporarily lifts diamond embargo pending adoption of the Kimberley Process	
1760 (20 Jun. 2007)		Creates a 3 Member Panel for a six month period to conduct follow up assessment mission on implementation of assets freeze (especially Taylor), Kimberley, cooperate with other Panels, and recommend capacity building measures	Panel Report, S/2007/689, 5 Dec. 2007
1792 (19 Dec. 2007)		Renews sanctions and Panel mandate until 20 Jun. 2008	Panel Report, S/2008/371, 12 Jun. 2008
1819 (18 Jun. 2008)		Renews sanctions and Panel mandate until 20 Dec. 2008	Panel Report, S/2008/785, 17 Dec. 2008
1854 (19 Dec. 2008)		Renews sanctions and Panel mandate until 20 Dec. 2009	
<a href="http://www.un.org/Docs/sc/committees/Liberia3Template.htm">http://www.un.org/Docs/sc/committees/Liberia3Template.htm</a>			
Côte d'Ivoire			
1572 (15 Nov. 2004)		Establishes embargo and Sanctions Committee	
	1584 (1 Feb. 2005)	Creates three-member Panel with 6-month mandate monitor sanctions (arms embargo), provide recommendations, work with UNOCI, and provide information on increasing capacity for enforcement	First Report of the Group of Experts, S/2005/699, 7 Nov. 2005
1632 (18 Oct. 2005)		Renews sanctions; imposes prohibition on the import of rough diamonds from Côte d'Ivoire; extends panel 6 months until Jun. 2006	Update Report of the Group of Experts, S/2006/204, 31 Mar. 2006
1643 (15 Dec. 2005)			Report of the Group of Experts, S/2006/735, 5 Oct. 2006
1708 (14 Sept. 2006)		Extends Group of Experts 3 months until 15 Dec. 2006	Update Report of the Group of Experts, S/2006/964, 12 Dec. 2006
1727 (15 Dec. 2006)		Renews Group of Experts mandate for 6 months until 15 Jun. 2007 and renews sanctions until 31 Oct. 2007	Report of the Group of Experts, S/2007/349, 14 Jun. 2007
	1761 (20 Jun. 2007)	Renews Group of Experts mandate until 31 Oct. 2007	Report of the Group of Experts, S/2007/611, 18 Oct. 2007
1782 (29 Oct. 2007)		Renews sanctions and Panel mandate until 31 Oct. 2008	Mid-term Report of the Group of Experts, S/2008/235, 14 Apr. 2008
			Final Report of the Group of Experts, S/2008/598, 9 Oct. 2008

1842 (29 Oct. 2008)			Renews sanctions Panel mandate until 31 October 2009		Sanctions Committee Annual Reports 2006-2007
<a href="http://www.un.org/Docs/sc/committees/CITemplate.htm">http://www.un.org/Docs/sc/committees/CITemplate.htm</a>					
<b>Democratic Republic of the Congo</b>					
	S/PRST/2000/20 (2 Jun. 2000)		Creates Panel on the Illegal Exploitation of Wealth and Natural Resources with a 6 month mandate		Panel Report, S/2001/357, 12 Apr. 2001
	S/PRST/2001/13 (3 May 2001)		Renews Panel mandate for 3 months		Addendum to the Natural Resource Exploitation Panel Report, S/2001/1072, 13 Nov. 2001
	S/PRST/2001/39 (19 Dec. 2001)		Renews Panel mandate for 6 months		Interim Panel Report, S/2002/565, 22 May 2002 Final Panel Report, S/2002/1146, 16 Oct. 2002
	1457 (14 Jan. 2003)		New Panel mandate, calls for reaction of parties		Addendum to the Panel Report (reactions of parties), S/2002/1146/Add. 1, 20 Jun. 2003
1493 (28 Jul. 2003)	1499 (13 Aug. 2003)		Ituri and Kivus embargo Extended Panel mandate		Panel Report, S/2003/1027, 23 Oct. 2003--Panel's mandate expired on 31 Oct. 2003
	1533 (12 Mar. 2004)		Establishes Sanctions Committee and Group of Experts		Group Report, S/2004/551, 15 Jul. 2004
1552 (27 Jul. 2004)			Renews embargo and re-establishes Group of Experts		Group Report, S/2005/30, 25 Jan. 2005
1596 (18 Apr. 2005)			Extends embargo to all of the DRC and re-establishes Group		
1616 (29 Jul. 2005)			Renews measures until 31 Jul. 2006 and re-establishes Group		Group Report, S/2005/436, 26 Jul. 2005
1649 (21 Dec. 2005)			Renews and expands travel and financial restrictions until 31 Jul. 2006 to political and military leaders, as designated by the Committee, of foreign and Congolese armed groups impeding the disarmament reintegration of combatants		Group Report, S/2006/53, 26 Jan. 2006
	1654 (31 Jan. 2006)		Extended Group until 31 Jul. 2006		Group Report, S/2006/525, 18 Jul. 2006
1698 (31 Jul. 2006)			Extended Group and renews sanctions until 31 Jul. 2007		Interim Group Report, S/2007/40, 26 Jan. 2007
1768 (31 Jul. 2007)			Renews sanctions and Group mandate until 10 Aug. 2007		Final Group Report, S/2007/423, 18 Jul. 2007
1771 (10 Aug. 2007)			Renews sanctions and re-establishes Group mandate until 15 Feb. 2008. Lifts arms embargo on integrated DRC army and police except if located in Ituri and the Kivus.		Group Report, S/2008/43, 13 Feb. 2008
1799 (15 Feb. 2008)			Renews sanctions and Group mandate until 31 Mar. 2008		

## UN PANELS OF EXPERTS CHEAT SHEET

Sanctions Resolutions	Creating Panels	Description	Panel Reports
1804 (13 Mar. 2008)		Extends sanctions to political and military leaders of armed groups within the DRC who impede the DD process, includes those previously sanctioned, asks Group to assist in determining additional persons for inclusion in sanctions list	
1807 (31 Mar. 2008)		Renews sanctions and Group mandate until 31 Dec. 2008. Lifts arms and technical training embargo on Government of DRC	Final Group Report, S/2008/773, 12 Dec. 2008
1857 (22 Dec. 2008)		Renews sanctions until 20 Nov. 2009 and Group mandate until 30 Nov. 2009. Asks Group to report by 15 May 2009 and 15 Oct. 2009	
<a href="http://www.un.org/Docs/sc/committees/DRCTemplate.htm">http://www.un.org/Docs/sc/committees/DRCTemplate.htm</a>			
Somalia			
733 (23 Jan. 1992)		Arms embargo on Somalia	
751 (24 Apr. 1992)		Establishes general and complete embargo and Sanctions Committee	
1356 (19 Jun. 2001)		Exceptions to embargo for UN and humanitarian personnel	
	1407 (3 May 2002)	Creates a 2 member team of experts with a 30 day mandate to determine what the Panel will need for its work on monitoring the weapons embargo	Team of Experts Report, S/2002/722, 3 Jul. 2002
	1425 (22 Jul. 2002)	Creates 3 members Panel to write a report on monitoring the weapons embargo	Panel Report, S/2003/223, 25 Mar. 2003
	1474 (8 Apr. 2003)	Renews the Panel mandate for 6 months	Panel Report, S/2003/1035, 4 Nov. 2003
	1519 (16 Dec. 2003)	Creates a 4 member monitoring group, based in Nairobi, with six month mandate to generate information on the arms embargo	Monitoring Group Report, S/2004/604, 11 Aug. 2004
	1558 (17 Aug. 2004)	Renews the monitoring group mandate for 6 months	Monitoring Group Report, S/2005/153, 14 Feb. 2005
	1587 (15 Mar. 2005)	Renews the monitoring group mandate for 6 months	Monitoring Group Report, S/2005/625, 22 Aug. 2005
	1630 (14 Oct. 2005)	Extends mandate of Monitoring Group for 6 months until Apr. 2006	Monitoring Group Report, S/2006/229, 5 Apr. 2006
	1676 (10 May 2006)	Re-establishes monitoring mechanism from 1558 for 6 months through Oct. 2006	Monitoring Group Report, S/2006/913, 22 Nov. 2006

		1724 (29 Nov. 2006)	Re-establishes monitoring mechanism from 1558 for 6 months through May 2007	Monitoring Group Report, S/2007/436, 17 Jul. 2007
1744 (20 Feb. 2007)		1766 (23 Jul. 2007)	Modifies arms embargo to exclude AMISOM	Monitoring Group Report, S/2008/274, 24 Apr. 2008
1772 (20 Aug. 2007)		1811 (29 Apr. 2008)	Modifies arms embargo to exclude IGAD, AMISOM	Monitoring Group Report, S/2008/769, 10 Dec. 2008
1844 (20 Nov. 2008)			Re-established monitoring mechanism from 1558 for 6 months through Dec. 2008	
			Imposes travel ban and assets freeze on those who violate or contribute to arms embargo violations or threaten the peace, reaffirms complete arms embargo, asks Sanctions Committee and Monitoring Group to monitor the sanctions, designate targeted entities and individuals, review the list, provide a narrative summary of the reason for listing, report every 120 days to the Council on its activities, renews Monitoring Group mandate and asks it to monitor the sanctions, support the committee in its mandate, asks member states to report on implementation activities within 20 days	
1853 (18 Dec. 2008)			Reminds members states of implementation obligations, extends Group mandate, asks for appointment of a fifth expert, asks Group to submit mid-term briefing and monthly progress reports, and final report	
<a href="http://www.un.org/Docs/sc/committees/SomaliaTemplate.htm">http://www.un.org/Docs/sc/committees/SomaliaTemplate.htm</a>				
<b>Sudan</b>				
1556 (30 Jul. 2004)			Arms embargo on non-governmental entities	
1591 (29 Mar. 2005)			Expands embargo to all belligerents, imposes travel ban and assets freeze, establishes Sanctions Committee and Panel of Experts with mandate to monitor implementation of the sanctions	
		1651 (21 Dec. 2005)	Extends mandate of Panel of Experts until 29 Mar. 2006	First Report of Panel of Experts, S/2006/65, 20 Jan. 2006
		1665 (29 Mar. 2006)	Extends mandate of Panel of Experts until 29 Sept. 2006	Second Report of Panel of Experts, S/2006/250, 19 Apr. 2006
1672 (25 Apr. 2006)		1713 (29 Sept. 2006)	Sanctions on 4 individuals Extends Panel mandate until 29 Sept. 2007; asks SG for 1 more expert (total of 5)	Third Report of the Panel of Experts, S/2006/795, 3 Oct. 2006 Final Report of the Panel of Experts, S/2007/584, 3 Oct. 2007
Sanctions Committee Annual Reports, 1995-2007				

<b>Sudan</b>				
1556 (30 Jul. 2004)			Arms embargo on non-governmental entities	
1591 (29 Mar. 2005)			Expands embargo to all belligerents, imposes travel ban and assets freeze, establishes Sanctions Committee and Panel of Experts with mandate to monitor implementation of the sanctions	
		1651 (21 Dec. 2005)	Extends mandate of Panel of Experts until 29 Mar. 2006	First Report of Panel of Experts, S/2006/65, 20 Jan. 2006
		1665 (29 Mar. 2006)	Extends mandate of Panel of Experts until 29 Sept. 2006	Second Report of Panel of Experts, S/2006/250, 19 Apr. 2006
1672 (25 Apr. 2006)		1713 (29 Sept. 2006)	Sanctions on 4 individuals Extends Panel mandate until 29 Sept. 2007; asks SG for 1 more expert (total of 5)	Third Report of the Panel of Experts, S/2006/795, 3 Oct. 2006 Final Report of the Panel of Experts, S/2007/584, 3 Oct. 2007

## UN PANELS OF EXPERTS CHEAT SHEET

Sanctions Resolutions	Creating Panels	Description	Panel Reports
	1779 (28 Sept. 2007)	Extends Panel mandate until 15 Oct. 2008, asks Panel to work with AMIS, UNAMID to monitor sanctions	Final Report of the Panel of Experts, S/2008/647, 11 Nov. 2008
	1841 (15 Oct. 2008)	Extends Panel mandate until 15 Oct. 2009, requests Panel to work with UNAMID and other international actors involved in peace process, requests Panel to monitor progress towards reducing violations and other measures	
<a href="http://www.un.org/Docs/sc/committees/SudanTemplate.htm">http://www.un.org/Docs/sc/committees/SudanTemplate.htm</a>			
Al-Qaida and the Taliban			
1267 (15 Oct. 1999)		Establishes limited air embargo, assets freeze on Taliban, and sets up Sanctions Committee	
1333 (19 Dec. 2000)		Imposes aviation ban, arms embargo, chemical ban, and assets freeze on Osama bin Laden, Al-Qaida, Taliban, and associated entities	
	1363 (30 Jul. 2001)	Creates Monitoring Group to monitor travel ban, assets freeze and arms embargo. Group has a 12 month mandate and should be composed of 5 expert New York-based group to monitor the sanctions and a Sanctions Enforcement Support Team, under the coordination of the Monitoring Group, of up to fifteen members with expertise in areas such as: customs, border security, and counterterrorism, to be located in Afghanistan-neighboring States	Monitoring Group Report, S/2002/65, 15 Jan. 2002
1388 (15 Jan. 2002)		Excludes Ariana Afghan Airlines from sanctions	
1390 (16 Jan. 2002)		Renews arms embargo, imposes travel ban and assets freeze, reappoints monitoring group and sanctions enforcement team for 12 months, terminates aviation ban	First Report of Monitoring Group, S/2002/541, 15 May 2002 Second Report of the Monitoring Group, S/2002/1050, 20 Sept. 2002 Third Report of the Monitoring Group, S/2002/1338, 17 Dec. 2002
1452 (20 Dec. 2002)		Introduces exceptions to assets freeze (humanitarian, etc.)	
1455 (17 Jan 2003)		Calls for improvement of sanctions regime; arms embargo, travel ban, assets freeze, and re-establishment of Monitoring Group for 12 months	First Report of the Monitoring Group, S/2003/669, 8 Jul. 2003 Second Report of the Monitoring Group, S/2003/1070, 2 Dec. 2003 SACO Assessment, S/2004/1037, 31 Dec. 2004



1526 (30 Jan. 2004)		<p>Calls for improvement of sanctions regime; establishes an 8-member (including a coordinator) New York-based Monitoring Team for 18 months with mandate to: collate, assess, monitor and report on, and make recommendations regarding implementation of sanctions; pursue case studies, submit a comprehensive program of work; analyze reports and subsequent Committee response; cooperate with the Counterterrorism Committee, to consult with States; report to and assist the Committee Team will present three reports. Requests SACO to provide analytical assessment of progress on implementation and capacity challenges</p>	<p>First Monitoring Team Report, S/2004/679, 25 Aug. 2004                  Second Monitoring Team Report, S/2005/83, 15 Feb. 2005                  Third Monitoring Team Report, S/2005/572, 9 Sept. 2005                  SACO Assessment, S/2004/349, 27 Apr. 2004.                  SACO Assessment, S/2005/761, 6 Dec. 2005</p>
1617 (29 Jul. 2005)		<p>Calls for improvement of sanctions regime; extends mandate of Sanctions Assessment and Monitoring Team for 17 months</p>	<p>Fourth Monitoring Team Report, S/2005/761, 10 Mar. 2006                  Fifth Monitoring Team Report, S/2006/750, 20 Sept. 2006                  SACO Assessment, S/2006/1046, 28 Dec. 2006</p>
1735 (22 Dec. 2006)		<p>Renews sanctions; renews Monitoring Team's mandate for a further 18 months</p>	<p>Sixth Monitoring Team Report, S/2007/132, 8 Mar. 2007                  SACO Assessment, S/2007/229, 25 Apr. 2007</p>
1822 (30 Jun. 2008)		<p>Reaffirms sanctions; renews Monitoring Team's mandates for a further 18 months</p>	<p>Seventh Monitoring Team Report, S/2007/667, 20 Nov. 2007                  SACO Assessment, S/2008/16, 8 Jan. 08                  Eighth Monitoring Team Report, S/2008/324, 14 May 2008                  SACO Assessment, S/2008/408, 20 Jun. 08</p>
<p><a href="http://www.un.org/Docs/sc/committees/1267Template.htm">http://www.un.org/Docs/sc/committees/1267Template.htm</a></p>		<p>Sanctions Committee Annual Reports, 2000-2007</p>	

## UN PANELS OF EXPERTS MANDATE GUIDE

SANCTIONS RESOLUTIONS	RESOLUTIONS CREATING PANELS	RESOLUTION DESCRIPTION	PANEL REPORTS
<b>Angola</b>			
864 (13 Sept. 1993)		UNITA arms, military equipment, and fuel sanctions	
1127 (28 Aug. 1997)		More UNITA sanctions	
1173 (1998)		UNITA diamond sanctions	
		Fowler recommendations to Security Council	Letter from Sanctions Committee Chairman, S/1999/644, 4 Jun. 1999
	1237 (12 Jun. 1999)	Establishes for 6 months the Panel that will ultimately publish the Fowler report, with the following mandate: to collect information and investigate reports, including through visits to the countries concerned, relating to the violation of the measures imposed against UNITA with respect to arms and related materiel, petroleum and petroleum products, diamonds, and the movement of UNITA funds as specified in the relevant resolutions and information on military assistance, including mercenaries; to identify parties aiding and abetting the violations of the above-mentioned measures; to recommend measures to end such violation and to improve the implementation of the above-mentioned measures.	Panel Report, S/2000/203, 10 Mar. 2000
	1295 (18 Apr. 2000)	The Secretary-General should establish a monitoring mechanism composed of up to five experts, for a period of six months from its effective entry into operation, to collect additional relevant information and investigate relevant leads relating to any allegations of violations of the measures contained in resolutions 864 (1993), 1127 (1997), and 1173 (1998), including any relevant leads initiated by the Panel of Experts, including through visits to relevant countries, and to report periodically to the Committee, including providing a written report by 18 Oct. 2000, with a view to improving the implementation of the measures imposed against UNITA.	Final Monitoring Mechanism Report, S/2000/1225, 21 Dec. 2000
	1336 (23 Jan. 2001)	Extends mandate of monitoring mechanism as set out in Resolution 1295 (2000) for a period of three months; the monitoring mechanism should report periodically to the Committee and provide a written addendum to the final report by Apr. 2001.	Addendum to the final Monitoring Mechanism Report, S/2001/363, 18 Apr. 2001
	1348 (19 Apr. 2001)	Extends mandate of the monitoring mechanism for a further period of 6 months, ending in Oct. 2001, the monitoring mechanism should report to the Committee and submit a final report to the Council.	Supplementary Monitoring Mechanism Report, S/2001/966, 12 Oct. 2001
	1374 (19 Oct. 2001)	Extends mandate for 6 more months, ending Apr. 2002, monitoring mechanism should provide Committee within 60 days of the adoption of this resolution with a detailed action plan for its further work, in particular, on sanctions on UNITA diamonds, violations of arms sanctions, and on UNITA finances; monitoring mechanism should also report periodically to the Committee and provide an additional report by Apr. 2002.	Additional Monitoring Mechanism Report, S/2002/486, 26 Apr. 2002

	<b>1404 (18 Apr. 2002)</b>	Extends mandate of monitoring mechanism for 6 months, until Oct. 2002; the monitoring mechanism should provide the committee within 30 days of the adoption of this resolution with a detailed action plan for its future work, in particular, on the financial measures and on the measures concerning the trade in diamonds and the trade in arms against UNITA; the monitoring mechanism also should report periodically to the committee and provide a further additional report to the Committee by Oct. 2002.	<b>Additional Monitoring Mechanism Report, S/2002/1119, 16 Oct. 2002</b>
	<b>1439 (18 Oct. 2002)</b>	UNITA with a view to assessing the situation and to contributing towards a full review by the Council of the measures imposed against UNITA once the peace process has been completed; as assessment of possible violations of existing measures imposed against UNITA that may have occurred since the signing of the Memorandum of Understanding of 4 Apr. 2002; details on renewed efforts to locate UNITA funds and financial resources currently frozen pursuant; development of possible recommendations with regard to the issue of funds and financial resources which have been located by Member States and subsequently frozen; details on ongoing monitoring and investigation of possible violations of the arms embargo and prohibitions against the import from Angola of diamonds not controlled by the government of Angola's certification of origin scheme. Also, the monitoring mechanism should provide a further additional report to the Committee by 13 Dec. 2002 focusing on possible violations of measures imposed against UNITA that may have occurred since the signing of the Memorandum of Understanding of 4 April 2002 and the identification of frozen UNITA funds.	<b>Monitoring Mechanism Report, S/2002/1339, 10 Dec. 2002 (last Report)</b>
	<b>1448 (9 Dec. 2002)</b>	Dissolution of the Sanctions Committee	<b>Sanctions Committee Annual Reports from 1996-2002</b>
<a href="http://www.un.org/Docs/sc/committees/AngolaTemplate.htm">http://www.un.org/Docs/sc/committees/AngolaTemplate.htm</a>			

<b>Sierra Leone</b>			
<b>1132 (8 Oct. 1997)</b>		Establishes petroleum and arms embargo and Sanctions Committee	
<b>1156 (16 Mar. 1998)</b>		Lifts petroleum embargo	
<b>1171 (5 Jun. 1998)</b>		Reinforces embargo	
	<b>1306 ( 5 Jul. 2000)</b>	Diamond imports from Sierra Leone banned; five member Panel established for four months to collect information on possible violations of the sanctions and on the link between trade in diamonds and trade in arms and related materiel; and to consider the adequacy of the measures imposed by paragraph 2 of resolution 1171 (1998), and to report on its findings to the Council.	<b>Panel Report, S/2000/1195, 19 Dec. 2000</b>
<b>1385 (19 Dec. 2001)</b>		Diamond ban extended	
<b>1446 ( 4 Dec. 2002)</b>		Diamond ban extended	
<a href="http://www.un.org/Docs/sc/committees/SLTemplate.htm">http://www.un.org/Docs/sc/committees/SLTemplate.htm</a>			
<b>Sanctions Committee Annual Reports, 1998-2007</b>			

<b>Liberia</b>			
<b>788 (19 Nov. 1992)</b>		Arms embargo	
<b>985 (13 Apr. 1995)</b>		Establishes Sanctions Committee	
	<b>1306 (2000)</b>	Establishes Panel on Sierra Leone	

## UN PANELS OF EXPERTS MANDATE GUIDE

SANCTIONS RESOLUTIONS	RESOLUTIONS CREATING PANELS	RESOLUTION DESCRIPTION	PANEL REPORTS
1343 (7 Mar. 2001)		Establishes new sanctions committee, imposes arms and weapons embargo, travel ban; establishes five member Panel for six months, to draw upon the expertise of the members of the Panel of Experts established pursuant to Resolution 1306 (2000), with a mandate to investigate any violations of sanctions, to collect information on Liberia's compliance with sanctions measures, to further investigate possible links between the exploitation of natural resources and other forms of economic activity in Liberia and the fuelling of conflict in Sierra Leone and neighboring countries, and to report to the Council.	Panel Report, S/2001/1015, 26 Oct. 2001
	1395 (27 Feb. 2002)	Reappoints Panel for five weeks	Panel Report, S/2002/470, 19 Apr. 2002
1408 (6 May 2002)		Renews UNSCR 1343 sanctions and re-establishes Panel for three months, stipulating that it should try to draw upon the experience of the members of the Panel of Experts established pursuant to resolution 1243 (2001), to conduct a follow-up assessment mission to Liberia and neighboring States, in order to investigate and compile a report on Liberia's compliance with the demand to cease support of armed rebel groups, on the potential impact of sanctions and on compliance with sanctions.	Panel Report, S/2002/1115, 25 Oct. 2002
	1458 ( 28 Jan. 2003)	Reappoints Panel for 3 months for follow-up assessment mission in order to investigate and compile a report on the Government of Liberia's compliance with the demands referred to in paragraph 2 of resolution 1343 (cease support for armed rebel groups).	Panel Report, S/2003/498, 24 Apr. 2003
1478 (6 May 2003)		Renews UNSCR 1343 sanctions and re-establishes Panel for an additional six months; imposes timber embargo, asks Secretary-General to report on socioeconomic impacts of timber embargo	Panel Report, S/2003/779, 7 Aug. 2003
			Panel Report, S/2003/937, 28 Oct. 2003
1521 (22 Dec. 2003)		Establishes new sanctions committee with travel ban, arms, diamonds, and timber embargo, imposes prohibitions on resources under Ch. VII. Re-establishes Panel, consisting of up to five members, drawing upon the expertise of the members of the Panel established pursuant to Resolution 1478 (2003), and to undertake the following tasks: to conduct a follow-up assessment mission to Liberia and neighboring States, in order to investigate and compile a report on the implementation, and any violations of the sanctions, to assess the progress made towards the goals of disarmament, demobilization, and reintegration, and to report to the Council with observations and recommendations.	Panel Report, S/2004/396, 1 Jun. 2004
1532 (17 Mar. 2004)		Freezes funds of Taylor and others	
	1549 (17 Jun. 2004)	Re-establishes Panel for 6 months, with the same mandate as listed above, and additionally, to assess the socioeconomic and humanitarian impact of the measures imposed by resolutions 1521 (2003) and 1532 (2004)	Panel Report, S/2004/752, 24 Sept. 2004
			Panel Report, S/2004/955, 6 Dec. 2004

1579 (21 Dec. 2004)		Renews prohibitions on travel, weapons, and timber for 12 months and on diamonds for 6 months and re-establishes Panel, with the same mandate as described above, and additionally, to provide a preliminary report to the Council through the Committee by 21 Mar. 2005 on progress towards meeting the conditions for lifting the measures on diamonds imposed by paragraph 6 of Resolution 1521 (2003).	Preliminary Panel Report, S/2005/176, 17 Mar. 2005 Panel Report, S/2005/360, 13 Jun. 2005
1607 ( 21 Jun. 2005)		Renews diamonds embargo for 6 months (to prevent expiration, others still in force) and re-establishes Panel until Dec. 2005	Panel Report, S/2005/745, Dec. 7, 2005
1647 (20 Dec. 2005)		Renews the measures on arms and travel for a further period of 12 months, renews the measures on diamonds and timber for a further period of six months, and re-establishes the Panel of Experts for a further period until 21 Jun. 2006.	Panel Report S/2006/379, 7 Jun. 2006
1683 (13 Jun. 2006)		Modifies arms embargo to exclude Johnson-Sirleaf government	
1689 (20 Jun. 2006)		Suspends timber embargo, renews other sanctions, extends Panel for 6 months to 20 Dec. 2006	
1731 (20 Dec. 2006)		Renews travel ban, assets freeze and weapons embargo for 12 months to 20 Dec. 2007 and renews Panel mandate through 20 Jun. 2007 (6 months)	Panel Report, S/2007/340, 7 Jun. 2007
1753 (27 Apr. 2007)		Temporarily lifts diamonds embargo	
1760 (20 Jun. 2007)		Creates a 3 member Panel for a six month period to conduct follow up assessment mission on implementation of assets freeze (especially Taylor), implementation of forestry legislation, compliance with Kimberley, cooperate with other Panels, and recommend capacity building measures.	Panel Report, S/2007/689, 5 Dec. 2007
1792 (19 Dec. 2007)		Renews Panel mandate until 20 Jun. 2008	Panel Report, S/2008/371, 12 Jun. 2008
1819 (18 Jun. 2008)		Renews Panel mandate until 20 Dec. 2008	Panel Report, S/2008/785, 17 Dec. 2008
1854 (19 Dec. 2008)		Renews Panel mandate until 20 Dec. 2009, asks for mid-term and final report. Requests continued cooperation with Kimberley Process, Côte d'Ivoire Group. Asks for assessment of forestry legislation and compliance with Kimberley Process. Asks for recommendation on regional states' capacity.	
			Sanctions Committee Annual Reports, 1995-2007
<a href="http://www.un.org/Docs/sc/committees/Liberia3Template.htm">http://www.un.org/Docs/sc/committees/Liberia3Template.htm</a>			
<b>Côte d'Ivoire</b>			
1572 (15 Nov. 2004)		Establishes embargo and Sanctions Committee	
	1584 (1 Feb. 2005)	Created three-member Panel of experts for 6 months, with mandate: to examine and analyze information gathered by UNOCI and the French forces in the context of the monitoring mandate; to gather and analyze all relevant information in Côte d'Ivoire, countries of the region and in other countries, on flows of arms and related materiel, and provision of assistance, advice or training related to military activities and to networks operating in violation of the sanctions; to consider and recommend ways of improving the capabilities of States; to report to the Security Council on the implementation of sanctions and to keep the Committee updated; to exchange useful information with UNOCI and the French forces.	First Report of the Group of Experts, S/2005/699, 7 Nov. 2005

## UN PANELS OF EXPERTS MANDATE GUIDE

SANCTIONS RESOLUTIONS	RESOLUTIONS CREATING PANELS	RESOLUTION DESCRIPTION	PANEL REPORTS
1632 (18 Oct. 2005) 1645 (15 Dec. 2005)		Renews sanctions; imposes prohibition on the import of rough diamonds from Côte d'Ivoire; extends mandate for 5-member Panel of experts for 6 months, until Jun. 2006, with the same mandate, but also underscoring the need for the Panel to monitor implementation of the individual measures set out in paragraphs 9 and 11 of Resolution 1572 (2004), which describes travel ban and assets freeze.	Update Report of the Group of Experts, S/2006/204, 31 Mar. 2006 Report of the Group of Experts, S/2006/735, 5 Oct. 2006
1708 (14 Sept. 2006)		Renews Panel Mandate until 15 Dec. 2006	Update Report of the Group of Experts, S/2006/964, 12 Dec. 2006
1727 (15 Dec. 2006)		Renews Panel Mandate until 15 Jun. 2007 and sanctions until 31 Oct. 2007	
	1761 (20 Jun. 2007)	Renews Panel Mandate until 31 Oct. 2007	Report of the Group of Experts, S/2007/611, 18 Oct. 2007
1782 (29 Oct. 2007)		Renews sanctions and Panel mandate until 31 Oct. 2008. Will review the measures once the Ouagadougou political agreement has been implemented or no later than 18 Apr. 2008. Reiterates demand that all parties cooperate and provide access to the Panel, UNOCI, and Licorne. The Panel shall provide a mid-term report by 15 Apr. 2008 and a final report by 15 Oct. 2008. Calls for cooperation between various actors. States that the UNSC is ready to impose sanctions to those who are a threat to peace, attack UNOCI, Licorne, prevent UNOCI from movement, abuse human rights, incite violence and hatred, and violate the sanctions.	Midterm Report of the Group of Experts, S/2008/235, 14 Apr. 2008 Final Report of the Group of Experts, S/2008/598, 9 Oct. 2008
1842 (29 Oct. 2008)		Renews sanctions Panel mandate until 31 October 2009	
		<a href="http://www.un.org/Docs/sc/committees/1572/index.shtml">http://www.un.org/Docs/sc/committees/1572/index.shtml</a>	Sanctions Committee Annual Reports 2006-2007
<b>Democratic Republic of the Congo</b>			
	S/PRST/2000/20 (2 Jun. 2000)	In accordance with the recommendation made by the mission to the DRC (S/2000/416) to proceed with the early establishment of an expert Panel on the illegal exploitation of natural resources and other forms of wealth of the DRC, a Panel of experts was established with a 6-month mandate to: follow up on reports and collect information on all activities of illegal exploitation of natural resources and other forms of wealth of the DRC, including in violation of the sovereignty of that country; research and analyze the links between the exploitations of the natural resources and other forms of wealth in the DRC and the continuation of the conflict; revert to the Council with recommendations.	Natural Resource Exploitation Panel Report, S/2001/357, 12 Apr. 2001

	<p>Extends the mandate of the expert Panel for a final period of three months, and requests also that the expert Panel submit to the council an addendum to its final report which shall include the following: an update of relevant data and an analysis of further information, including as pointed out in the action plan submitted by the Panel to the SC; relevant information on the activities of countries and other actors for which the necessary quantity and quality of data were not made available earlier; a response, based as far as possible on corroborated evidence, to the comments and reactions of the states and actors cited in the final report of the Expert Panel; an evaluation of the situation at the end of the extension of the mandate of the Panel, and of its conclusions, assessing whether progress has been made on the issues which come under the responsibility of the Panel.</p>	<p><b>S/PRST/2001/13 (3 May 2001)</b></p>	<p><b>Addendum to the Natural Resource Exploitation Panel Report, S/2001/1072, 13 Nov. 2001</b></p>
	<p>Extends mandate of the monitoring mechanism for 2 months, ending on 19 Dec. 2002; mandates monitoring mechanism to provide the Committee, within 10 days, an action plan for its future work. Panel should be renewed for a period of six months with a final report that includes: updated information; an evaluation of the possible actions that could be taken by the Council, including those recommended by the panel in its report (S/2001/357) and in its addendum (S/2001/1072); recommendations on specific actions that the international community might take; recommendations on possible steps that may be taken by transit countries as well as end users.</p>	<p><b>S/PRST/2001/39 (19 Dec. 2001)</b></p>	<p><b>Interim Natural Resource Exploitation Panel Report, S/2002/565, 22 May 2002</b> <b>Final Natural Resource Exploitation Panel Report, S/2002/1146, 16 Oct. 2002</b></p>
	<p>Reappoints a Panel with a six month mandate to submit a report including further review of relevant data and analysis of information previously gathered by the Panel, as well as any new information, including specifically material provided by individuals and entities named in the previous reports of the Panel, in order to verify, reinforce and, where necessary, update the Panel's findings, and/or clear parties named in the Panel's previous reports, with a view to adjusting accordingly the lists attached to these reports; information on actions taken by governments in response to the Panel's previous recommendations, including information on how capacity-building and reforms in the region are affecting exploitation activities; as assessment of the actions taken by all those names in the reports in respect to the importance of sharing information among various agencies; recommendations on measures a transitional government in the DRC and other governments in the region could take to develop and enhance their policies, legal framework and administrative capacity to ensure the resources of the DRC are exploited legally and on a fair commercial basis to benefit the Congolese people.</p>	<p><b>1457 (14 Jan. 2003)</b></p>	<p><b>Addendum to the Natural Resource Exploitation Panel Report (reactions of parties), S/2002/1146/Add. 1, 20 Jun. 2003</b></p>
<p><b>1493 (28 Jul. 2003)</b></p>	<p>Imposes weapons embargo on Ituri and Kivus</p>	<p><b>1499 (13 Aug. 2003)</b></p>	<p><b>Panel Report, S/2003/1027, 23 Oct. 2003</b></p>
	<p>Establishes Sanctions Committee and a new 4 member Group of Experts for a period expiring 28 Jul. 2004, to examine and analyze information gathered by MONUC in the context of its monitoring mandate, to gather and analyze all relevant information in the DRC and in the region, to consider and recommend, where appropriate, ways of improving the capabilities of States, and to report to the Council, keep the Committee updated and provide it with a list of sanctions-violators, and to exchange information with MONUC.</p>	<p><b>1533 (12 Mar. 2004)</b></p>	<p><b>Group Report, S/2004/551, 15 Jul. 2004</b></p>
<p><b>1552 (27 Jul. 2004)</b></p>	<p>Renews embargo and renews Group of Experts mandate for 6 months until 31 Jan. 2005</p>		<p><b>Group Report, S/2005/30, 25 Jan. 2005</b></p>
<p><b>1596 (18 April 2005)</b></p>	<p>Extends embargo to all of DRC, imposes travel ban and assets freeze</p>		
<p><b>1616 (29 Jul. 2005)</b></p>	<p>Renews sanctions until 31 Jul. 2006 and renews group mandate for 1 year until 31 Jul. 2006</p>		<p><b>Group Report, S/2005/436, 26 Jul. 2005</b></p>

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SANCTIONS RESOLUTIONS	RESOLUTIONS CREATING PANELS	RESOLUTION DESCRIPTION	PANEL REPORTS
1649 (21 Dec. 2005)		Renews and expands travel and financial restrictions until 31 Jul. 2006 to political and military leaders, as designated by the Committee, of foreign and Congolese armed groups impeding the disarmament reintegration of combatants	Group Report, S/2006/53, 26 Jan. 2006
	1654 (31 Jan. 2006)	Extends Panel until 31 Jul. 2006	Group Report, S/2006/525, 18 Jul. 2006
1698 (31 Jul. 2006)		Renews sanctions until 31 Jul. 2007 and renews Panel mandate until 31 Jul. 2007. Asks Group to recommend sanctions on those who illegally exploit natural resources in the DRC. Requests SG to report on possible socioeconomic impact of such measures .	Final Group Report, S/2007/423, 18 Jul. 2007
1768 ( 31 Jul. 2007)		Renews sanctions (arms embargo) until 10 Aug. 2007, extends Group mandate until 10 Aug. 2007	
1771 (10 Aug. 2007)		Renews sanctions and re-establishes Group mandate until 15 Feb. 2008. Lifts arms embargo on integrated DRC army and police except if located in Ituri and the Kivus	Group Report, S/2008/43, 13 Feb. 2008
1799 (15 Feb. 2008)		Renews sanctions and Group mandate until 31 Mar. 2008	
1804 (13 Mar. 2008)		Extends sanctions to apply in particular to political and military leaders of armed groups operating in the DRC who impede the disarmament and the voluntary repatriation or resettlement of combatants belonging to those groups, and stresses that those measures are applicable to leaders of the FDLR, ex-FAR/Interhamwe and other Rwandan armed groups designated in accordance with the provisions of those resolutions.	
1807 (31 Mar. 2008)		Renews sanctions and Group mandate until 31 Dec. 2008. Lifts arms and technical training embargo on Government of DRC	Final Group Report, S/2008/773, 12 Dec. 2008
1857 (22 Dec. 2008)		Renews sanctions until 20 Nov. 2009 and Group mandate until 30 Nov. 2009. Asks Group to report by 15 May 2009 and 15 Oct. 2009. Extends Committee mandate and requests it to review sanctions list and promulgate implementation guidelines. Asks Group to help Committee in updating publicly available reasons for listing. Asks Secretariat to notify Permanent Missions of listing and accompanying reasons for listing and de-listing within one week.	
		<a href="http://www.un.org/Docs/sc/committees/DRCTemplate.htm">http://www.un.org/Docs/sc/committees/DRCTemplate.htm</a>	Sanctions Committee Annual Reports, 2005-2007
<b>Somalia</b>			
733 (23 Jan. 1992)		Arms embargo on Somalia	
751 (24 Apr. 1992)		Establishes general and complete embargo and Sanctions Committee	
1356 (19 Jun. 2001)		Exceptions to embargo	
	1407 (3 May 2002)	30 day mandate for team of 2 experts to provide the Committee with an action plan detailing the resources and expertise the Panel will require to generate independent information on violations and on improving	Team of Experts Report, S/2002/722, 3



			enforcement of weapon and military equipment embargo. They will investigate the violations of the arms embargo, carry out field-based research, assess the capability of States in the region to implement fully the arms embargo, and provide recommendations on possible practical steps for further strengthening the enforcement of the arms embargo.	<b>Jul. 2002</b>
	<b>1425 (22 Jul. 2002)</b>		Establish three member panel of experts, based in Nairobi for a period of 6 months, to generate independent information on violations of the arms embargo and as a step towards giving effect to and strengthening the embargo, with the following mandate: investigating the violations of the embargo, detailing information in relevant areas of expertise related to violations and strengthening measures, carry out field-based research, assess capability of states in the region to implement fully the arms embargo, and provide recommendations on possible practical steps and measures for giving effect to the embargo.	<b>Panel Report, S/2003/223, 25 Mar. 2003</b>
	<b>1474 (8 Apr. 2003)</b>		Re-establishes panel for additional six months, with the same mandate as above, but also adding the following: <i>to seek to identify those who continue to violate the arms embargo inside and outside Somalia, to explore the possibility of establishing a monitoring mechanism for the implementation of the arms embargo with partners inside and outside Somalia, and to refine the recommendations provided in the report of the Panel (S/2003/223).</i>	<b>Panel Report, S/2003/1035, 4 Nov. 2003</b>
	<b>1519 (16 Dec. 2003)</b>		Establish a monitoring group composed of up to four experts, for six months, to investigate the violations of the arms embargo, make recommendations regarding strengthening sanctions, carry out field-based investigations, assess the progress made by the States in the region to implement the arms embargo, to provide the Committee in its final report with a draft list of those who continue to violate arms embargo inside and outside Somalia.	<b>Monitoring Group Report, S/2004/604, 11 Aug. 2004</b>
	<b>1558 (17 Aug. 2004)</b>		Re-establish the monitoring group for a period of six months, with the same mandate to continue the same tasks, and work with the Committee on specific recommendations for additional measures to improve overall compliance with the arms embargo, and to provide the Council with a mid-term report and a final report.	<b>Monitoring Group Report, S/2005/153, 14 Feb. 2005</b>
	<b>1587 (15 Mar. 2005)</b>		Re-establishes the Monitoring Group for six months, with the same mandate to continue the tasks listed above, and in addition, to assist in identifying areas where the capacities of States in the region can be strengthened to facilitate the implementation of the arms embargo.	<b>Monitoring Group Report, S/2005/625, 22 Aug. 2005</b>
<b>1630 (14 Oct. 2005)</b>			Extends mandate of Monitoring Group for 6 months until Apr. 2006	<b>Monitoring Group Report, S/2006/229, 5 Apr. 2006</b>
<b>1676 (10 May 2006)</b>			Re-establishes Monitoring Group for 6 months through Oct. 2006	<b>Monitoring Group Report, S/2006/913, 22 Nov. 2006</b>
	<b>1724 (29 Nov. 2006)</b>		Re-establishes Monitoring Group for 6 months through May 2007	<b>Monitoring Group Report, S/2007/436, 17 Jul. 2007</b>
<b>1744 (20 Feb. 2007)</b>			Modifies arms embargo to exclude AMISOM	
	<b>1766 (23 Jul. 2007)</b>		Re-establishes Monitoring Group for 6 months through Jan. 2008	<b>Monitoring Group Report, S/2008/274, 24 Apr. 2008</b>
<b>1772 (20 Aug. 2007)</b>			Modifies arms embargo to exclude IGAD, AMISOM	
	<b>1811 (29 Apr. 2008)</b>		Reestablished monitoring mechanism from 1558 for 6 months through Dec. 2008	<b>Monitoring Group Report, S/2008/769, 10 Dec. 2008</b>

## UN PANELS OF EXPERTS MANDATE GUIDE

SANCTIONS RESOLUTIONS	RESOLUTIONS CREATING PANELS	RESOLUTION DESCRIPTION	PANEL REPORTS
1844 (20 Nov. 2008)		Imposes travel ban and assets freeze on those who violate or contribute to arms embargo violations or threaten the peace, reaffirms complete arms embargo, asks Sanctions Committee and Monitoring Group to monitor the sanctions, designate targeted entities and individuals, review the list, provide a narrative summary of the reason for listing, report every 120 days to the Council on its activities, renews Monitoring Group mandate and asks to it to monitor the sanctions, support the committee in its mandate, asks member states to report on implementation activities within 20 days.	
	1853 (18 Dec. 2008)	Reminds members states of implementation obligations, extends Group mandate, asks for appointment of a fifth expert, asks Group to submit mid-term briefing and monthly progress reports, and final report.	
		<a href="http://www.un.org/Docs/sc/committees/SomaliaTemplate.htm">http://www.un.org/Docs/sc/committees/SomaliaTemplate.htm</a>	Sanctions Committee Annual Reports, 1995-2007
<b>Sudan</b>			
1556 (30 Jul. 2004)		Arms embargo on non-governmental entities	
1591 (29 Mar. 2005)		Expands embargo, establishes Sanctions Committee and 4-member Panel of Experts for six months, with a mandate to: assist the Committee in monitoring implementation of sanctions on arms and provisions as well as the assets freeze and travel ban, and to make recommendations to the Committee on actions the Council may want to consider; to provide a mid-term briefing to the Committee, and a report to the Council; to coordinate its activities as appropriate with the ongoing operations of AMIS.	First Report of Panel of Experts, S/2006/65, 20 Jan. 2006
	1651 (21 Dec. 2005)	Extends mandate of Panel of Experts until Mar. 29, 2006	Second Report of Panel of Experts, S/2006/250, 19 Apr. 2006
1672 (25 Apr. 2006)	1665 (29 Mar. 2006)	Extends mandate of Panel of Experts until Sept. 29, 2006	
		Sanctions on individuals	
	1713 (29 Sept. 2006)	Extends Panel Mandate until 29 Sept. 2007 and requests one more Expert (for a total of 5)	Final Report of the Panel of Experts, S/2007/584, 3 Oct. 2007
	1779 (28 Sept. 2007)	Renews mandate until 15 Oct. 2008, asks for mid-term briefing by 29 Mar. 2008, an interim report in 3 months, a final report by 15 Sept. 2008, asks Panel to cooperate with AMIS, UNAMID, and other international organizations, asks Panel to assess progress made towards reducing sanctions violations, urges UN and AU agencies and others to cooperate with Panel.	Final Report of the Panel of Experts, S/2008/647, 11 Nov. 2008
	1841 (15 Oct. 2008)	Extends Panel mandate until 15 Oct. 2009, requests Panel to work with UNAMID and other international actors involved in the peace process, requests Panel to monitor progress towards reducing violations and implementation of other measures imposed by the Council.	

<a href="http://www.un.org/Docs/sc/committees/SudanTemplate.html">http://www.un.org/Docs/sc/committees/SudanTemplate.html</a>		Sanctions Committee Annual Reports 2006-2007
<b>Al-Qaida and the Taliban</b>		
1267 ( 15 Oct. 1999)	Establishes limited air embargo and funds and finances of the Taliban, and sets up Sanctions Committee	
1333 (19 Dec. 2000)	Air and arms embargo, and funds sanctions, imposes chemical ban, requests Secretary-General appoint a committee of experts to make recommendations to the Council within 60 days of the adoption of this resolution regarding how the arms embargo and the closure of terrorist training camps can be monitored.	
	Asks SG to establish, within 30 days for a period running concurrently with the application of the measures imposed by Resolution 1333 (2000), a mechanism: to monitor the implementation of the measures imposed by resolutions 1267 (1999) and 1333 (2000); to offer assistance to States bordering the territory of Afghanistan under Taliban control and other States, to increase their capacity regarding the implementation of the measures imposed by resolutions 1267 (1999) and 1333 (2000); to collar, assess, verify whenever possible, report and make recommendations on information regarding violations of the measures imposed by resolutions 1267 (1999) and 1333 (2000) Group composition: (a) a Monitoring Group in New York of up to five experts, to monitor the these measures; and (b) a Sanctions Enforcement Support Team, under the coordination of the Monitoring Group, of up to 15 members with expertise in customs, border security and counter-terrorism, to be located states neighboring Taliban controlled Afghanistan.	<b>Monitoring Group Report, S/2002/65, 15 Jan. 2002</b>
1388 (15 Jan. 2002)	Excludes Ariana Afghan Airlines from sanctions	
1390 (16 Jan. 2002)	Expands assets freeze to include Osama bin Laden and Al-Qaida. Imposes travel ban, terminates aviation ban. Imposes arms embargo. Reappoints monitoring group for 12 months.	<b>First Report of Monitoring Group, S/2002/541, 15 May 2002</b> <b>Second Report of the Monitoring Group, S/2002/1050, 20 Sept. 2002</b> <b>Third Report of the Monitoring Group, S/2002/1338, 17 Dec. 2002</b>
1452 (20 Dec. 2002)	Provides humanitarian exemptions to assets freeze	
1455 (17 Jan 2003)	Calls for improvement of sanctions regime; arms embargo, travel ban, assets freeze, and re-establishment of Monitoring Group established pursuant to paragraph 4 (a) of Resolution 1363 (2001) for a period of 12 months, reappointing 5 experts to monitor the efforts to "improve the implementation" of the sanctions, and to follow up on relevant leads relating to any incomplete implementation of the sanctions measures.	<b>First Report of the Monitoring Group, S/2003/669, 8 Jul.2003</b> <b>Second Report of the Monitoring Group, S/2003/1070, 2 Dec. 2003</b>

## UN PANELS OF EXPERTS MANDATE GUIDE

SANCTIONS RESOLUTIONS	RESOLUTIONS CREATING PANELS	RESOLUTION DESCRIPTION	PANEL REPORTS
1526 (30 Jan. 2004)		Calls for improvement of sanctions regime; establishes for 18 months a New York based Analytical Support and Sanctions Monitoring Team under the direction of the Committee with the following responsibilities: to collate, assess, monitor and report on and make recommendations regarding implementation of the measures; to pursue case studies, as appropriate, and to explore in depth any other relevant issues; to submit a comprehensive program of work; to analyze reports and subsequent Committee response; to work with and share information with the Counterterrorism Committee, to consult with States; to report to and assist the Committee.	<p>First Monitoring Team Report, S/2004/679, 25 Aug. 2004</p> <p>Second Monitoring Team Report, S/2005/83, 15 Feb. 2005</p> <p>Third Monitoring Team Report, S/2005/572, 9 Sept. 2005</p> <p>Fourth Monitoring Team Report, S/2005/761, 29 Jul. 2005</p> <p>Fifth Monitoring Team Report, S/2006/750, 20 Sept. 2006</p>
1617 (29 Jul. 2005)		Calls for improvement of sanctions regime; extends mandate of New York-based monitoring team for 17 months, with the same responsibilities as outlined above, and in addition, with the following responsibilities: to submit, in writing, three comprehensive, independent reports to the Committee on implementation by States of the sanctions measures and to include specific recommendations for improved implementation; to present recommendations to the Committee; to encourage Member States to submit names and additional identifying information for inclusion on the Consolidated List; to study and report to the Committee on the changing nature of the threat of Al-Qaida and the Taliban and the best measures to confront it; to consult with Member States, including regular dialogue with representatives in New York and in capitals, taking into account comments from member States, especially regarding any issues that might be contained in the Monitoring Team's reports.	<p>Sixth Monitoring Team Report, S/2007/132, 8 Mar. 2007</p> <p>Seventh Monitoring Team Report, S/2007/667, 20 Nov. 2007</p> <p>Eighth Monitoring Team Report, S/2008/324, 14 May 2008</p>
1735 (22 Dec. 2006)		Renews sanctions; renews Monitoring Team mandates for a further 18 months	
1822 (30 Jun. 2008)		Renews sanctions; renews Monitoring Team mandates for a further 18 months	
		<a href="http://www.un.org/Docs/sc/committees/1267Template.htm">http://www.un.org/Docs/sc/committees/1267Template.htm</a>	Sanctions Committee Annual Reports, 2000-2007

**COMPREHENSIVE CHARTS: PANEL RECOMMENDATIONS FOR SANCTIONS IMPLEMENTATION IN LIBERIA**

Report	Para.	Cat.	See Also	Actor(s)	Translation	Language: 1=Embargo and Sanctions 2=Accountability 3=Panel Mandate 4=State Capacity 5=Role of Various Actors (a=UN; b=regional actors; c=Third Party States; d=Third Party non-States; e=Target State)
S/2001/1015	6	1		UN, ICAO	reducing sanctions regime	The Panel considers that the measures taken so far by the Liberian Civil Aviation Authority are adequate and that the Security Council may consider lifting the grounding order imposed by resolution 1343 (2001) and allow Liberia to re-open an aircraft register in coordination with International Civil Aviation Organization (ICAO).
S/2001/1015	9	2		Liberia, Interpol	accountability (Centrafrian Airlines)	The Panel recommends that the Civil Aviation Authorities in Liberia transmit to Interpol the Court documents about Centrafrian Airlines and publish these documents on the Government's website.
S/2001/1015	9	5b		Government of Liberia, Equatorial Guinea, UAE	accountability (Centrafrian Airlines) - coordination with UAE and Equatorial Guinea	The Panel recommends that the Civil Aviation Authorities in Liberia coordinate urgently with Equatorial Guinea and the United Arab Emirates over the use by Centrafrian Airlines of forged documents.
S/2001/1015	10	2		Liberia, Equatorial Guinea, other African states, African Civil Aviation Commission	regional cooperation for air regulation	To other States, the Panel recommends that the Central African Republic, Equatorial Guinea and other African States affected by this type of fraud coordinate with the African Civil Aviation Commission to put the issue of false registrations as an agenda item for its future meetings.
S/2001/1015	12	5d		ICAO	ICAO enforcement	To ICAO, the Panel recommends that ICAO proactively educate its members on the dangers of illegal registrations.
S/2001/1015	12	5d		ICAO	ICAO reforms for international enforcement	To ICAO, the Panel recommends that ICAO's member States computerize their registration lists and centralize them on the ICAO web site so that users could check the situation and status of each aircraft.
S/2001/1015	12	5d		ICAO	ICAO reforms	To ICAO, the Panel recommends that ICAO's Safety Oversight program should place greater emphasis on aircraft registration.
S/2001/1015	13	2		UNSC, states with said planes in their territory, state civil aviation authorities	accountability	To the United Nations Security Council, the Panel recommends that all the aircraft owned, operated or insured by San Air, Centrafrian Airlines and West Africa Air Services should be grounded immediately. The grounding order could then be lifted gradually for each individual aircraft, provided all the records (ownership of the plane, operator, operating license, insurance, air-worthiness certificate, certificate of registration and the location of the aircraft) are inspected by both the Civil Aviation Authority in the country of registration and in the country where the aircraft has its maintenance base.
S/2001/1015	14	5d		San Air, Centrafrian Airlines and West Africa Air Services	Accountability (airlines under sanctions)	The companies concerned should inform the Council, through the Security Council Committee on Liberia, on the exact status and location of each aircraft.
S/2001/1015	24	1		UN	arms embargo	The Panel recommends that the arms embargo on Liberia be extended.

**COMPREHENSIVE CHARTS: PANEL RECOMMENDATIONS FOR SANCTIONS IMPLEMENTATION IN LIBERIA**

Report	Para.	Cat.	See Also	Actor(s)	Translation	Language: 1=Embargo and Sanctions 2=Accountability 3=Panel Mandate 4=State Capacity 5=Role of Various Actors (a=UN; b=regional actors; c=Third Party States; d=Third Party non-States; e=Target State)
S/2001/1015	24	1		UN	arms embargo	The Panel recommends that all United Nations Member States abstain from supplying weapons to the Mano River Union countries.
S/2001/1015	24	1		UN, Mano River region non-state actors	arms embargo	The Panel recommends that an arms embargo be imposed on the armed non-state actors in the three Mano River Union countries (namely the LURD and Ulimo-factions, the RUF and the Guinean armed dissident groups).
S/2001/1015	25	1, 5b		ECOWAS	expand PCASED	The Panel also recommends that, for reasons of transparency and confidence building, the ECOWAS moratorium on small arms should be broadened. The existing Program for Coordination and Assistance for Security and Development (PCASED) could be further developed to improve the information exchange on current holdings and future arms procurement of West African States. The Panel recommends that this information exchange would be binding and that both supplier States and the receiving countries would be obliged to report each individual arms transaction to the newly established mechanism and include data on all the parties to the arms transactions, including the names and companies of the brokers and the transport agents.
S/2001/1015	26	2		All states conducting transactions with mentioned individuals/entities	accountability	The Panel recommends that the Member States involved in any such transactions [with Pecos, Joy Slovakia and/or Morse or the individuals Peter Jusko, Alexander Islamov, Jacob Berger, Andrei Izdebski or Serguei Schwabenland] inform the other State party to these transactions and inform the Security Council Committees on Sierra Leone and Liberia on the findings of their investigation.
S/2001/1015	26	2		All states conducting transactions with mentioned individuals/entities	accountability	The Panel recommends that each Member State that has ever procured or supplied arms on the basis of an End-User Certificate mentioning the companies Pecos, Joy Slovakia and/or Morse or the individuals Peter Jusko, Alexander Islamov, Jacob Berger, Andrei Izdebski, or Serguei Schwabenland, conduct a thorough investigation on the actual delivery and end-use of the arms.
S/2001/1015	27	5a		UN	create an UN End-User regime	The Panel urgently recommends the establishment of a United Nations working group to develop the modalities for a standardized End-User Certificate that would include the name, address and telephone number of the signing authority for the Certificate, and name, address, telephone number, and arms trading license of the broker(s) involved.
S/2001/1015	30	5c		Government of Liberia	reform Liberian revenue collection processes	The Panel recommends that the practice of allocating revenues at source for priority expenditure should be eliminated. All revenues should be consolidated in a central government account at the Central Bank of Liberia before being allocated to authorized agencies for approved expenditures.
S/2001/1015	40	4		Government of Liberia, IMF	Liberian-IMF cooperation to ensure proper use of funds for Liberia	The Panel recommends that the Government [of Liberia] should reach agreement with the International Monetary Fund over the commissioning of an independent detailed report on revenue from the timber concessions for the January 2001-July 2002 period, including exemptions and tax offsets for government-related expenditures during this period.

S/2001/1015	40	5a	UN	timber embargo	The Panel recommends that the United Nations should impose a ban on all round log exports from Liberia from July 2002 and strongly encourage local operators to diversify into wood processing before that date.
S/2001/1015	46	1	UN, diamond importing and exporting countries	control of diamond trade	The experiences of Sierra Leone, Guinea, Liberia and Côte d'Ivoire discussed below show how difficult it actually is to separate out conflict diamonds from other alluvials. Better monitoring, increasing the cost of getting caught and the requirement to state the source of a stone (origin) rather than just the provenance could help this process.
S/2001/1015	47	1	Government of Liberia	certification scheme	The diamond embargo on Liberia has contributed to the dramatic decline in the misuse of the Liberian label for diamond smuggling. The embargo has, however, reversed the problem in effect with encouraging an increase in the smuggling of Liberian rough out of the country and into neighboring certification systems. If these certification schemes are to be credible, this situation needs to be dealt with urgently. Better policing of dealers can help, but ensuring that Liberia has its own credible certification scheme will ensure that less Liberian rough are deliberately mixed with rough of neighboring countries.
S/2001/1015	48	5e	Liberia, independent verification commission	certification scheme	The Panel encourages the Liberian Government to put in place a credible and transparent certification scheme which is independently audited by an internationally recognized audit company. This scheme should be independently assessed as credible and effective in order to facilitate the consideration of a temporary suspension of the diamond ban by the Security Council.
S/2001/1015	49	5b	West African states	use Sierra Leone experience as a case study/guide	Under such conditions, the principal challenge of the alluvial diamond trade in West Africa would be to curtail endemic smuggling for tax evasion purposes. Sierra Leone's attempt to redistribute diamond revenues back into the community is part of a solution.
S/2001/1015	49	5c	State actors	reform issuance of Certificates of Origin	It is also important that countries issue their own Certificates of Origin that are consistent with a fully integrated certification system.
S/2001/1015	49	5c, 5d	International state and non-state actors	international record of diamond trade	Regular and accurate publication of official annual rough diamond import/export statistics is crucial. A better international library of each diamond type, from each region and detailed records of run-off-mine alluvial samples in conflict zones would also be an important step forward in this region.
S/2001/1015	59	5a	UN Committee, Liberia, IMF	fiduciary account	The Panel recommends that an escrow account should be set up by the Security Council Committee as the ultimate destination for all revenues generated from the shipping and corporate registry. The Panel believes that the Government of Liberia and IMF should reach an agreement to audit this account in order to determine all revenues generated by the shipping and corporate registry and to determine the use of the revenue in this account. The funds in this account should be designated for development purposes.
S/2001/1015	62	1	SACO	travel ban	The Panel encourages the Security Council Committee to reply to individual requests about the [travel] ban promptly and expeditiously.
S/2001/1015	62	1	SACO	travel ban	The Panel also recommends that the Committee set up a Liberia travel ban web page where the Committee's criteria on how names have been put on the list are described. The web page should also provide information on how to apply for travel exemptions and have a section on who currently has an exemption to travel. This web site should be publicized as a resource for immigration and law enforcement agencies to keep track of who is on the travel ban list, and who has exemptions.

**COMPREHENSIVE CHARTS: PANEL RECOMMENDATIONS FOR SANCTIONS IMPLEMENTATION IN LIBERIA**

Report	Para.	Cat.	See Also	Actor(s)	Translation	Language: 1=Embargo and Sanctions 2=Accountability 3=Panel Mandate 4=State Capacity 5=Role of Various Actors (a=UN; b=regional actors; c=Third Party States; d=Third Party non-States; e=Target State)
S/2001/1015	63	1		UN Sanctions Branch, SACO	travel ban (enforcement)	The Security Council Sanctions Branch in consultation with the Committee should also compile a photographic database of key individuals on the ban list to counter attempts by a number of individuals on the list to travel under a different name.
S/2001/1015	64	1		SACO	travel ban needs updating	For humanitarian reasons a few names [on the travel ban list] should be dropped; the Committee should also consider new names too.
S/2001/1015	65	4		UNSC, Côte d'Ivoire	Côte d'Ivoire needs to better implement travel ban	A loophole at Abidjan airport needs urgent attention. The Council should strongly encourage the Ivorian authorities to adopt a less passive attitude towards the implementation of the travel ban. A verifiable system should be set up at Abidjan airport to check that arriving passengers from Monrovia are not on the list or if they are, they have obtained a United Nations travel exemption.
S/2001/1015	66	5a		UN	increase Liberian presence within UN	The United Nations Secretariat should appoint a Liberian officer within the Sanctions Department of the Department of Political Affairs. This person should conduct ongoing monitoring of compliance of Resolution 1343 (2001) from New York, develop databases of violation reports, and write request letters and make telephone enquiries about such reports. This person should also act as an in-house researcher for the Security Council Committee.
S/2001/1015	67	5a		Panels of Experts	Assess Liberian compliance with sanctions	There should be an ongoing assessment of Liberia's compliance to Resolution 1343 (2001) on the ground, too. A way to achieve this in a targeted and cost-effective manner is to renew the mandate for this Panel of Experts for two short periods in 2002 for missions to visit West Africa with the Liberian officer appointed by the Secretariat. These missions should be: 1) An assessment mission by the Panel to Liberia and neighboring States for a period of four weeks starting in April 2002 to investigate and compile a short report on compliance; 2) A second six-week mission to Liberia in September 2002 resulting in a final submission to the Committee in November 2002. This report would also be an independent assessment of total progress of the sanctions regime and the Government of Liberia's compliance over the year.
S/2001/1015	300	5a		UNSC	reducing sanctions regime	The Panel considers that the measures taken so far by the Liberian Civil Aviation Authority are adequate and that the Security Council may consider lifting the grounding order imposed by Resolution 1343 (2001) and allow Liberia to re-open an aircraft register in coordination with ICAO. Those individual aircraft that were effectively grounded and have provided ICAO and the Security Council Committee on Liberia with the documentation showing their registration in Liberia, was done in accordance with international regulations, should be given permission to restart their operations.
S/2001/1015	301	5e		Liberian Civil Aviation Authority	Liberian air sector reform	The Liberian Civil Aviation Authority should, however, keep the Security Council Committee on Liberia and the International Civil Aviation Organization informed on the follow-up of the investigation and on the registration of every new aircraft on the new Liberian register.
S/2001/1015	302	2		Liberian Civil Aviation Authority, Equatorial Guinea, UAE	accountability (Centrafrique Airlines)	In view of the massive fraud with aircraft registrations committed in the Central African Republic, the Panel recommends that the Civil Aviation Authorities there coordinate urgently with Equatorial Guinea and the United Arab Emirates over the use by Centrafrique Airlines of forged documents.



S/2001/1015	302	2	Liberian Civil Aviation Authority	accountability	In view of the massive fraud with aircraft registrations committed in the Central African Republic, the Panel recommends that the Civil Aviation Authorities there publish these court documents on the Government's website.
S/2001/1015	302	2	Liberian Civil Aviation Authority	accountability (Centrafrique Airlines)	In view of the massive fraud with aircraft registrations committed in the Central African Republic, the Panel recommends that the Civil Aviation Authorities there transmit to Interpol the court documents about Centrafrique Airlines.
S/2001/1015	303	2	Regional, African Civil Aviation Commission	regional cooperation for air regulation	The Panel further recommends that the Central African Republic, Equatorial Guinea, and other African States affected by [false aircraft registrations] type of fraud coordinate with the African Civil Aviation Commission to put the issue of false registrations as an agenda item for its future meetings.
S/2001/1015	303	5c	ICAO members	reform ICAO procedures	ICAO's Member States [should] computerize their registration lists and centralize them on the ICAO web site so that users could check the situation and status of each aircraft.
S/2001/1015	303	5d	ICAO	ICAO enforcement	To ICAO, the Panel recommends that it proactively educate its members on the dangers of illegal registrations.
S/2001/1015	303	5d	ICAO	ICAO reforms	ICAO's Safety Oversight program should place greater emphasis on aircraft registration.
S/2001/1015	304	5a	UNSC	Accountability (air operators)	To the United Nations Security Council, the Panel recommends that all the aircraft owned, operated or insured by San Air, Centrafrique Airlines, and West Africa Air Services should be grounded immediately. The grounding order could then be lifted gradually for each individual aircraft, provided all the records (ownership of the plane, operator, operating license, insurance, airworthiness certificate, certificate of registration, and the location of the aircraft) are inspected by both the Civil Aviation Authority in the country of registration and in the country where the aircraft has its maintenance base.
S/2001/1015	304	5d	San Air, Centrafrique Airlines, and West Africa Air Services	Accountability (airlines under sanctions)	The companies concerned should inform the Council, through the Security Council Committee on Liberia, on the exact status and location of each aircraft.
S/2001/1015	305	1	UNSC	arms embargo	The Panel recommends that the arms embargo on Liberia be extended.
S/2001/1015	305	1	Member States	arms embargo	The Panel recommends that all UN Member States abstain from supplying weapons to the Mano River Union countries.
S/2001/1015	305	1	UNSC	arms embargo	The Panel recommends that an arms embargo be imposed on the armed non-state actors in the three Mano River Union countries (namely the LURD and Ulimo-factions, the RUF, and the Guinean armed dissident groups).
S/2001/1015	306	5b	ECOWAS Member States	expand PCASED	The existing Program for Coordination and Assistance for Security and Development (PCASED) could be further developed to improve the information exchange on current holdings and future arms procurement of West African States. The Panel recommends that this information exchange would be binding and that both supplier States and the receiving countries would be obliged to report each individual arms transaction to the newly established mechanism and include data on all the parties to the arms transactions, including the names and companies of the brokers and the transport agents.
S/2001/1015	306	5b	ECOWAS	expand PCASED	The Panel also recommends that, for reasons of transparency and confidence building, the ECOWAS Moratorium on Small Arms should be broadened to an information exchange mechanism for all weapons types procured by the ECOWAS Member States.

**COMPREHENSIVE CHARTS: PANEL RECOMMENDATIONS FOR SANCTIONS IMPLEMENTATION IN LIBERIA**

Report	Para.	Cat.	See Also	Actor(s)	Translation	Language: 1=Embargo and Sanctions 2=Accountability 3=Panel Mandate 4=State Capacity 5=Role of Various Actors (a=UN; b=regional actors; c=Third Party States; d=Third Party non-States; e=Target State)
S/2001/1015	307	2		Member States which have traded arms in conjunction with mentioned individuals/entities	accountability	The Panel recommends that each Member State that has procured or supplied arms on the basis of an end-user certificate mentioning the companies Pecos, Joy Slovakia and/or Morse or the individuals Peter Jusko, Alexander Islamov, Jacob Berger, Andrei Izdebski, or Serguei Schwabenland, conduct a thorough investigation on the actual delivery and end-use of the arms.
S/2001/1015	307	5c		Member States which have traded arms in conjunction with mentioned individuals/entities	international community needs to communicate when SALW sales occur	The Panel recommends that the Member States involved in any such transactions inform the other State party to these transactions and inform the Security Council Committees on Sierra Leone and Liberia on the findings of their investigation.
S/2001/1015	308	5a		UN	create an end-user certification regime	The Panel urgently recommends the establishment of a United Nations working group to develop the modalities for a standardized end-user certificate that would include the name, address and telephone number of the signing authority for the Certificate, and name, address, telephone number, and arms trading license of the broker(s) involved.
S/2001/1015	318	5e		Liberia	reform Liberian revenue collection processes	The Panel recommends that the practice of allocating revenues at source for priority expenditure should be eliminated. All revenues should be consolidated in a central government account at the Central Bank of Liberia before being allocated to authorized agencies for approved expenditures.
S/2001/1015	350	1		UNSC	timber sanctions	The United Nations should impose a ban on all round log exports from Liberia from July 2002 and strongly encourage local operators to diversify into wood processing before that date.
S/2001/1015	350	4		Government of Liberia	Liberian-IMF cooperation for timber sector reform	The Government should reach agreement with the International Monetary Fund over the commissioning of an independent detailed report on revenue from the timber concessions for the January 2001-July 2002 period, including exemptions and tax offsets for government-related expenditures during this period.
S/2001/1015	444	4		IMF, Government of Liberia	Liberian-IMF cooperation to ensure proper use of funds for Liberia	The Panel believes that the Government of Liberia and IMF should reach an agreement to audit this [the escrow] account in order to determine all revenues generated by the shipping and corporate registry and to determine the use of the revenue in this account. The funds in this account should be designated for development purposes.
S/2001/1015	444	5a		UNSC	fiduciary account	An escrow account should be set up by the Security Council Committee as the ultimate destination for all revenues generated from the shipping and corporate registry.
S/2002/1115	8	1	S/2001/1015, para. 24, 305; S/2002/470, para. 4, 72	UNSC	arms embargo	The arms embargo should be extended to all armed non-state actors in the regional including LURD.

S/2002/1115	8	1	S/2001/10 15, para. 24, 305; S/2002/47 0, para. 70	Arms-exporting countries	arms embargo (Third party state actions)	Arms-exporting countries should abstain from supplying arms to the Mano River Union countries, in line with the moratorium that applies for the whole ECOWAS region.
S/2002/1115	106	5b		Regional actors	expand PCASED	The Panel stresses the importance of this regional framework which already exists and might be used in a more effective way to get to grips with the problems posed by uncontrolled flows of light weapons into the region.
S/2002/1115	108	4		ECOWAS members, international donor countries	Increase government and UNMIL capacity	The Panel also recommends that more efforts be made, both by ECOWAS member states and by donor countries, to strengthen the national commissions and the secretariat in terms of staffing and equipment.
S/2002/1115	109	5e		Liberia	Liberian air sector reform	The Liberian authorities should act quickly and promote their new registry with the A8 prefix.
S/2002/1115	122	5e		Liberia	Liberian air sector reform	The Panel recommends that the Government of Liberia conduct an information campaign about changes to its registry so that it can remove the aircraft from its registry and start to re-register them in accordance with international civil aviation regulations.
S/2002/1115	157	4		Government of Liberia, international donors	certification scheme	Liberia should finalize a credible plan of action on how to create a conducive context for the introduction of a credible certification of origin scheme. Liberia will need international help in setting up a credible scheme.
S/2002/1115	8, 100	1	S/2001/10 15 para. 24, 305	UNSC	arms embargo	The Panel recommends that the arms embargo on Liberia should continue and be regularly monitored for violations.
S/2002/1115	8, 102	1	S/2001/ 1015, para. 25, 306	ECOWAS (PCASED) members	reinforce PCASED	The moratorium on the importation, exportation, and manufacture of small arms and light weapons in West Africa and its implementation mechanism, the Program for Coordination and Assistance for Security and Development (PCASED), should be more effectively used to monitor and combat illicit trafficking and sanctions busting.
S/2002/1115	8, 101	5a	S/2001/ 1015, para. 27, 308.	UN	create an end-user certification regime	The urgent establishment of a United Nations working group to develop the modalities for a standardized end-user certificate that would contain, at the minimum, the name, address and telephone number of the signing authority for the certificate, and the name, address, telephone number, and arms-trading license of the broker(s) involved.
S/2002/1115	9, 104	1		Arms importers and exporters	reinforce end-user regime	All end-user certificates should be submitted to the ECOWAS secretariat as part of the procedure to obtain waivers for the importation of arms into West Africa.
S/2002/1115	9, 105	5b	S/2001/10 15, para. 25, 306	ECOWAS	expand PCASED	The moratorium should be broadened and become an information exchange mechanism for all types of weapons procured by ECOWAS members.
S/2002/1115	9, 123	5e	S/2002/ 470, para. 6	Liberia	Liberian government accountability (illegal air transport)	The Panel recommends that Liberia, in accordance with the requirements set by the Chicago Convention on International Civil Aviation, investigate properly the aircraft accident [of 15 Feb. 2002] and that its findings - including those on the nature of the cargo - be presented to the Security Council Committee on Liberia within three months.
S/2002/470	4	1	S/2001/10 15, para. 305	UN	arms embargo	In view of the volatile situation in the sub-region the Panel recommends that the arms embargo on Liberia should continue and be regularly monitored for violations.
S/2002/470	4	1	S/2001/10 15, para. 305	Arms exporters	embargo (blanket)	An immediate embargo should be imposed on all non-state actors in the Mano River Union countries, including the dissident groups constituting LURD.

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S/2002/470	4	1		Arms producing and exporting states	arms embargo (Third party state actions)	All arms-producing and exporting countries should abstain from supplying weapons to each Mano River Union country.
S/2002/470	4	5b		ECOWAS	expand PCASED	The ECOWAS moratorium [PCASED] relating to small arms should be broadened to an information exchange mechanism for all weapons types. This new mechanism should be binding on both supplying and receiving countries.
S/2002/470	5	4	S/2001/10 para. 6, 9, 10	Liberia	air sector reform	The Panel reiterates the recommendations made on the issue of air transportation in its previous report (S/2001/1015).
S/2002/470	6	5e		Government of Liberia	Accountability (Liberian violations of sanctions)	The Panel recommends that Liberia be requested to supply to the Sanctions Committee within three months a full report on: basic facts about the crash [15 Feb 2002], including pictures of the wrecked aircraft and the crash site; the nature of the flights from and to N'Djamena on 15 February, 25 February, and 5 March 2002; the irregularities relating to the registration and flight plans of the flights with registration numbers ER-ADL, ER-ACZ, and ER-ACL; a full list of the crew, the pilots, and the cargo on board these flights; the flight plans for these flights; the contracts showing the consignee of these flights; the fuel manifests for all these flights; the payments made for these flights.
S/2002/470	7	5d		Independent investigative agent	investigate reports of violations of air embargo	The Panel further recommends that, in order to verify the findings of that report [on violations of aircraft embargo], an independent investigation be conducted.
S/2002/470	9	4		UN Member States	certification scheme	The Panel recommends that the United Nations should encourage its Member States to assist the Government of Liberia in setting up a credible and transparent certification scheme which is independently audited by an internationally recognized audit company
S/2002/470	13	2		UN	reform travel ban	The Panel believes that the current list of 129 names [on the travel ban] is too long, and that this list is cumbersome and should be reduced to a list of all cabinet members, key government officials and individuals documented in Panel reports as having violated United Nations sanctions or consistently obstructed investigation
S/2002/470	67	1	S/2001/1015, para. 25, 306	ECOWAS	expand PCASED	The Panel once again recommends that, for reasons of transparency and confidence-building, the existing Moratorium be broadened to an information exchange mechanism for all types of weapon procured by the ECOWAS Member States.
S/2002/470	68	5b	S/2001/1015, para. 25, 306	ECOWAS Member States	expand PCASED	The Panel, in its previous reports (S/2000/1195 and S/2001/1015) emphasized the need to have a more thorough implementation of the ECOWAS Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa. The Panel once again recommends that, for reasons of transparency and confidence-building, the existing Moratorium be broadened to an information exchange mechanism for all types of weapon procured by the ECOWAS Member States.

S/2002/470	69	5b	S/2001/1015, para. 25, 306	ECOWAS Member States	expand PCASED	The Panel also reiterates its recommendation that the information exchange should be binding on both the suppliers and the receiving States and that they should report every arms transaction to the newly established mechanism, including data on the names and companies of the brokers and transport agents.
S/2002/470	70	1	S/2001/1015, para. 24, 305	Arms producing and exporting states	arms embargo (Third party state actions)	The Panel reiterates its recommendation that all arms-producing and exporting countries abstain from supplying weapons to countries of the Mano River Union.
S/2002/470	71	1	S/2001/1015, para. 24	UN	arms embargo	The Panel ... its recommendation that the arms embargo on Liberia should continue.
S/2002/470	72	1	S/2001/1015, para. 24	UN	arms embargo	The Panel once again strongly recommends an immediate and complete embargo on all non-State actors in the Mano River Union countries, including the dissident groups constituting LURD.
S/2002/470	136	5e	S/2001/1015, para. 47	Liberia	certification scheme	Liberia should have its own credible certification scheme so that there is less incentive for Liberian rough to be deliberately mixed with rough of neighboring countries.
S/2002/470	137	5e	S/2001/1015, para. 48	Liberia	certification scheme	The Panel encourages the Government of Liberia to put in place a credible and transparent certification scheme which is independently audited by an internationally recognized audit company. This scheme should be independently assessed as credible and effective so as to facilitate the consideration of a monitored suspension of the diamond ban by the Security Council.
S/2002/470	173	6		UN	role of UNMIL	Since the last report (S/2001/1015) is out of print, the Panel recommends that a second print run of 1,000 copies be arranged and that UNOL be requested to hold a series of workshops in Monrovia on the findings of the Panel to balance the one-sided nature of the current discussion.
S/2003/498	10	1	S/2001/1015, para. 25, 306	ECOWAS	reinforce PCASED	The Panel recommends that the moratorium on the importation, exportation and manufacturing of small arms in West Africa and its implementation mechanism, the Program for Coordination and Assistance for Security and Development, should be strengthened through international assistance and technical support.
S/2003/498	10	2		SACO	accountability (financial sanctions)	The Panel recommends that financial sanctions be imposed against the following individuals: Slobodan Tesic, Orhan Dragas, Aleksic Jovan, Dragoslav Jerinic, and Ljubo Milenkovic of Serbia and Montenegro, and Emmanuel Shaw of Liberia.
S/2003/498	10	5a	S/2002/1115, para. 8, 101	ECOWAS Member States	create an end-user certification regime	The Panel recommends the establishment, in cooperation with Member States, of an international mechanism for harmonizing and verifying all end-user certificates for weapons.
S/2003/498	10	5b	S/2001/1015, para. 25, 306; S/2002/470, para. 4, 67	ECOWAS	expand PCASED	The moratorium should be broadened and become an information exchange mechanism for all types of weapons procured by ECOWAS members.
S/2003/498	10	5d		UN Sanctions Committee (implied)	professional oversight (diamond trade)	In order to define which areas can be classified 'conflict-free' and diamonds from there fit for export, the services of international mining and geological consultants should be engaged.

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S/2003/498	10	5e		Liberian Civil Aviation Authority	Liberian air sector reform	The Panel recommends that the Liberian Civil Aviation Authority fully cooperate with the modalities of responsibilities as provided in the letter of agreement signed in November 2001 between the Flight Information Region and the Approach Control Unit of Robertsfield International Airport and also register all of its aircraft.
S/2003/498	Box "Nicla"	5a		UN (implied)	reinforce military observer mission	In the short term, an international military observation team should be stationed at the gate of the camp and proper identification cards should be issued to all genuine refugees in the camp.
S/2003/498	Box "Nicla"	5a		UN, international community, Côte d'Ivoire	expand and reinforce UNHCR activities	Refugees [near the Ivory Coast-Liberian border] need to be relocated to a safer location...It remains important for the international community to support the efforts of UNHCR to find asylum for the Liberian refugees outside the sub-region, and to relocate inside the country those who do not wish to be evacuated.
S/2003/498	Box "Nicla"	5b		Government of Côte d'Ivoire	accountability (Côte d'Ivoire)	The Government of Côte d'Ivoire needs to ensure respect for the civilian status of the refugee camp at Nicla.
S/2003/779	17	1		UNSC	moratorium on commercial activities	The Panel recommends that, in order to deprive all combatants of the benefits of war, the Security Council adopt the proposal of the Non-Governmental Organizations Coalition of Liberia to declare a moratorium on all commercial activities in the extractive industries (see annex I). The moratorium should remain in place until such time as peace and stability are restored and good governance is established.
S/2003/779	17	1		UNSG	report on timber sanctions	The Secretary-General be requested to report quarterly on the status of implementation of the timber sanctions and their effects on Liberians.
S/2003/779	17	1		UN, civil society, Member States	enforcement of sanctions (monitoring)	The Security Council [should] encourage Member States, civil society and United Nations field presences to monitor and report any violations of the timber sanctions. Monitors should be particularly vigilant at the most likely points of exit for timber from Liberia (the three primary seaports and the roads from Towa Town into Côte d'Ivoire, and from Ganta and Yekepa into Guinea).
S/2003/779	17	4		UN (implied)	International assistance timber sector reform	Increased emergency aid [should] be provided to minimize the impact of sanctions while the timber industry is reformed.
S/2003/779	17	4		UN and international donors	timber sector reform	Over the long term, the United Nations and international donors [should] help Liberia to reform the timber sector in order to achieve good governance, including the equitable distribution of risks and benefits, full participation in decision-making, transparent, efficient, and accountable management and respect for the rule of law.
S/2003/779	71	1		UNSC	timber sanctions	Therefore, the Security Council should maintain the timber ban until governance in Liberia has improved. These conditions will not be met under the current regime.

S/2003/779	73	5a		UNSC			act to mitigate negative effects of timber sanctions	Given that the Government of Liberia has abrogated its responsibility to provide assistance, the international community must serve an important role in providing humanitarian relief. The Security Council must accept its responsibility for the negative impact of the timber sanctions and ensure that emergency relief aid is provided.
S/2003/779	77	4		International community			Increase international assistance	[International] assistance should extend to rural Liberians, especially those near concessions that especially lack these basic services.
S/2003/779	78	4					Increase government capacity (ports)	The United Nations should assist the National Port Authority to retain control over the three ports that have recently been run by timber companies.
S/2003/779	79	1		Timber companies, NGOs, Panels of Experts, intervention forces, international community			enforcement of sanctions (monitoring)	To ensure that sanctions are not violated, the Security Council should immediately empower a coalition of timber companies, NGOs, representatives of intervention forces and the Panel of Experts to monitor illegal logging and exports in violation of paragraph 17 of Resolution 1478 (2003).
S/2003/779	79	1		Timber companies, NGOs, Panels of Experts, intervention forces, international community			enforcement of sanctions (monitoring)	The [above] coalition should focus on monitoring Liberia's four main ports as well as the land crossings to Côte d'Ivoire, at Towa Town, and to Guinea, at Yekepa and Ganta.
S/2003/779	80	5c		UN Member States, especially regional states			regional monitoring of Liberian sanctions regime	The Security Council should request Member States, especially the neighbors of Liberia, to monitor and report violations to the Council and its Panel of Experts. The Committee should consider requesting Member States to respond to a targeted questionnaire on sanctions implementation.
S/2003/779	81	1		UNSC			enforcement of sanctions (monitoring)	The Security Council should encourage civil society, international intervention forces and United Nations field presences to be vigilant for shipments of timber from Liberia and to report any suspected violations.
S/2003/779	82	3		Panels of Experts			continue Panels of Experts	The Panel of Experts should continue to assess compliance with the sanctions and report to the Sanctions Committee.
S/2003/779	83	3		Panels of Experts			expand Panels mandate	The mandate of the Panel of Experts should include the monitoring of the humanitarian, social and economic impact of timber sanctions on Liberians.
S/2003/779	83	5a		UNSC			report on timber sanctions	To promote transparency, the Council should provide quarterly briefings on the status of implementation of the timber sanctions to Member States and civil society.
S/2003/779	84	4		International community (implied)			timber sector reform - necessary to help reform larger government	The immediate implementation of the above recommendations should minimize the impact of timber sanctions. However, over the long term, efforts to produce good governance in the forest sector should be supported.
S/2003/779	85	5e		Liberia			timber (forestry) sector reform	Any reform of the forestry sector must involve stakeholders from across Liberian society. The benefits accrued from logging must also be shared across society, and not just to enrich certain populations. The Government of Liberia must implement the forest revenue-sharing scheme to return taxes back to the local communities located within forest concessions.

**COMPREHENSIVE CHARTS: PANEL RECOMMENDATIONS FOR SANCTIONS IMPLEMENTATION IN LIBERIA**

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S/2003/779	89	5d		International timber buyers	timber sector reform - role of international buyers	International buyers, such as the Association Technique International des Bois Tropicaux, should adopt a similar [timber] procurement policy.
S/2003/779	89	5e		Liberian Timber Association	timber sector reform	The Liberian Timber Association should develop a procurement policy to commit its members to ensuring that only legally harvested timber is traded (see annex IV). International buyers, such as the Association Technique International des Bois Tropicaux, should adopt a similar procurement policy.
S/2003/779	91	5e		Liberia	Government reform (timber sector resources)	The Government of Liberia must give FDA adequate resources and equipment to fulfill its mandate. In particular, officials require vehicles to inspect logging sites.
S/2003/779	92	5e		Liberia, FDA	Government capacity (human capital)	The Government of Liberia and FDA should continue to develop Liberian management capacity by providing staff with training and by sponsoring students at the University of Liberia.
S/2003/779	93	5d		International timber buyers	timber sector reform - role of international buyers	To ensure that they are not in receipt of illegally harvested timber, international buyers, such as Pinault Bois et Materiaux, DLH Nordisk A/S, and Global Star (Asia) Trading Ltd., should demand that producers demonstrate a legal chain of custody.
S/2003/779	93	5d, 5e		Timber companies (Liberian, international)	timber sector reform - chain of custody	Until legal wood can be segregated from illegal wood, it must be assumed that illegal wood will enter the supply chain and that combatants may gain revenue from the illegal exploitation of timber resources. To segregate wood, timber companies must maintain a chain of custody of all harvested logs, from the concession through processing to the point of export (see box 3).
S/2003/779	94	5e		Liberia	Government rule of law	The Government of Liberia must investigate and pursue appropriate fines, penalties and prosecutions through FDA and the Liberian legal system.
S/2003/779	95	5e		Liberia	Government reform (timber sector oversight)	The Government of Liberia must improve oversight of FDA.
S/2003/779	96	5e		Liberia	Government reform (ports)	The Government of Liberia should review the conduct of the National Port Authority, as well as customs and inspection authorities, and prosecute those involved in illegal activities and fraud.
S/2003/779	97	5e		Liberia	Government rule of law	The Government of Liberia must investigate and prosecute those involved in incidents of violence involving security forces against local communities and other human rights abuses. The Government of Liberia must ban the use of armed security forces. Instead, timber companies must be afforded police protection to secure vulnerable resources, such as fuel depots.



S/2003/779	98	5e	FDA and [Liberian] timber companies	Timber sector reform	FDA and timber companies must clarify guidelines for security forces associated with logging operations, using the United States Department of State/United Kingdom Foreign and Commonwealth Office Voluntary Guidelines on Security and Human Rights as a framework.
S/2003/779	99	5e	Government of Liberia	Government reform (indigenous rights)	To protect the rights of local communities, especially regarding their access to natural resources and participation in decision-making regarding natural resources, the Government of Liberia should ratify the International Labor Organization's Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries.
S/2003/779	Box 2	5e	Liberian Forestry Development Authority and loggers	timber sector reform (oversight)	The Forestry Development Authority and logging operators must publish annually, as required by Liberian law, the following for each company: the location and ownership of all concessions — in order to know where it is legal to harvest; how these concessions were awarded — to ensure that only legitimate transactions are conducted; for each annual coupe (cut block), a map of the location of all commercial species — to know the volume of wood available for harvest; volumes and values of the harvest, production and export of all timber products (processed and unprocessed) by species — to know what was harvested and how much tax should be assessed; all tax assessed and paid, including services provided in lieu of taxes — to ensure that all taxes are collected; all charges and violations, arrests, fines and penalties paid — to determine whether enforcement is practiced.
S/2003/779	Box 3	5d	Independent party	timber sector reform	The chain of custody must be audited by an independent party. (Definition: The chain of custody is the process by which the source of a timber product is verified by tracking it from the forest through all the steps of production until it reaches the end-user.)
S/2003/937	123	5e	Liberian air traffic control authorities	air sector reform (implementation of ICAO rules)	To minimize the risk of accidents, the air traffic authorities are strongly urged to apply all the provisions of the letter of agreement between the Area Control Centre of the Flight Information Region and the Control Unit of Robertsfield International Airport in conformity with ICAO rules.
S/2003/937	124	5e	Liberia	air sector reform (oversight of revenue)	To manage Liberia's civil aviation properly and to finance needed improvement, an autonomous entity is required to utilize judiciously all income generated from aviation activities.
S/2003/937	144	4	Government of Liberia, independent verification commission	reform of diamond industry (best practices for trade and mining)	The Panel recommends that a comprehensive review of the diamond industry be undertaken by independent consultants in order to assess the best mechanisms for the control of mining, the trade and export of diamonds and the collection of revenue by the State for the benefit of the Liberian people.
S/2003/937	145	5e	Liberia	Government rule of law	The Panel recommends that the Government of Liberia appoint an authoritative body to register legitimate stakeholders in the industry and to adjudicate claims pertaining to current and lapsed exploration and mining concessions.
S/2003/937	146	5e	Liberia	mining sector reform	The Panel recommends that the Government of Liberia undertake a complete review of mining legislation in order to facilitate reform of the sector.
S/2003/937	155	6	UNSC, UNMIL	role of UNMIL	The Security Council [and UNMIL] should focus monitoring and enforcement on a few strategic locations.
S/2003/937	156	5a	UNSC	Assess Liberian compliance with sanctions	The Security Council should establish an oversight committee of stakeholders to further assess compliance with sanctions and their impact on Liberia.
S/2003/937	174	1	UN (implied)	report on timber sanctions	The Panel recommends that a comprehensive socio-economic survey and assessment of the impact of the timber sanctions be conducted as soon as security conditions allow.

### COMPREHENSIVE CHARTS: PANEL RECOMMENDATIONS FOR SANCTIONS IMPLEMENTATION IN LIBERIA

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S/2003/937	190	6		UNMIL	role of UNMIL	It is recommended that UNMIL should include an element to monitor maritime traffic along the coast of Liberia and the neighboring countries.
S/2003/937	191	5c		All parties involved in national reconstruction	rebuild state infrastructure	The national rebuilding plan should include improvements to all harbors, port facilities, and coastal navigation aids.
S/2003/937	10a	1		UNSC	sanctions	The Panel recommends that all Security Council sanctions remain in place.
S/2003/937	10b	6	S/2003/779, para. 79	UN	role of UNMIL	The Panel recommends that the United Nations establish a process using UNMIL to monitor the main ports, airports and border crossings to ensure that sanctions are not violated and that all illegal shipments are seized.
S/2003/937	10c	4		UN, Government of Liberia	New government needs monitoring mechanisms	To protect the incoming Transitional National Government from corruption and diversion of government revenues, and to assist in rebuilding corrupted Liberian institutions...the Panel recommends the formation of an independent economic commission of inquiry. The commission should conduct systematic investigations of all revenue-producing entities wishing to be active in Liberia, including all operations involved in managing state-owned assets, all entities currently in control of concessions or management agreements for natural resource exploitation, and all significant business operations.
S/2003/937	10d	1		UN (implied)	accountability	To prevent Charles Taylor through his intermediaries from further diverting government revenues and to facilitate the repatriation of already diverted funds, the Panel recommends that financial sanctions should be imposed on all accounts, assets and property owned and controlled by Charles Taylor directly or indirectly.
S/2003/937	10e	1		UN	embargo	The embargo on the export of Liberian wrought diamonds should remain in place until a closely monitored, internationally accredited certification scheme can be effectively implemented within the context of broad sector reform.
S/2003/937	10f	4		UN, international donors, Liberian civil aviation authorities	reform of Liberian civil aviation	The United Nations and other donors should assist the Liberian civil aviation authorities to improve urgently the level of professionalism of their staff as well as the quality and quantity of the training capabilities; this would also include providing technical assistance.
S/2003/937	10g	5e		Government of Liberia	timber sector reform	The Liberian forestry sector must be reformed under the standards of good governance.
S/2003/937	10h	4		UN (implied)	sanctions must be justified	A national sensitization campaign should be launched as soon as possible, to better inform Liberians about the justification for sanctions, including on timber. A national consultative forum that brings together credible representatives of all the stakeholder groups to deliberate the future of Liberia's forests and logging industry should follow such a campaign almost immediately.
S/2003/937	142-143	1		Liberia, external partners (UN, other)	embargo	The Panel recommends that the embargo on the export of Liberian rough diamonds remain in place until an internationally accredited certification scheme can be successfully implemented by the Government of Liberia with the support of external partners...The Panel

S/2004/396	94	4			International community	Increase international aid to increase government capacity	recommends that this process be undertaken as quickly as possible. The Panel recommends that the international community increase financial assistance to the National Transitional Government of Liberia in order to accelerate compliance with the requirements of the sanctions Committee and the Kimberley Process.
S/2004/396	95	1	S/2001/1015, para. 8, 100	UN	sanctions	The Panel recommends that the current United Nations sanctions remain in place until such time as Liberia is in a position to make an application for membership in the Kimberley Process which, in the view of that organization after preliminary assessments, is likely to be successful.	
S/2004/396	96	4		National Transition Government, Sanctions Committee	Implement Kimberley Process	The Panel recommends that the National Transitional Government and the sanctions Committee formally request the Kimberley Process to assist Liberia in its attempt to join the Kimberley Process so that this objective may be achieved as soon as possible.	
S/2004/396	119	2	See S/2003/779, para. 91, 95, Box 2, Box 3	Liberian government	government needs outside monitoring to ensure effectiveness	Given FDA complicity in past illegal activity, the concession review process must be conducted by a credible third party, consisting of UNMIL, the Independent National Commission for Human Rights, the Commission on Good Governance, the Liberia National Bar Association, and communal stakeholders, which should be headed by an independent prosecutor or judge.	
S/2004/396	119	4		FDA, IMF, World Bank	restrictions on IMF/World Bank aid	IMF/World Bank cooperation must be conditional on full transparency and accountability of FDA.	
S/2004/396	119	4		Government of Liberia, private security firm, UNSC (implied -to assign firm)	Government must be reformed before it can be trusted	FDA does not have the trained personnel to ensure that loggers, and FDA itself, comply with the law. Therefore, a management company should be assigned to operate FDA until internal capacity is sufficient.	
S/2004/396	119	5c		FDA	Liberian government obligations	FDA must cooperate with the European Union audit.	
S/2004/396	119	5e	See S/2003/779, Box 2	FDA	Timber sector reform (transparency)	FDA must make information publicly available.	
S/2004/396	119	5e	See S/2003/779, para. 77, 97, 98	FDA	Government rule of law	The National Transitional Government of Liberia should establish rural security desks staffed by nongovernmental organization and community monitors to improve civilian oversight and to report alleged violations by police, forestry officials, and private militias.	
S/2004/396	119	5e		FDA	Timber sector reform (meeting international norms)	FDA must meet internationally recognized standards for accounting.	
S/2004/396	119	5e		Liberia	Government rule of law	The National Transitional Government should investigate and prosecute government officials, private individuals, and companies that violate Liberian law.	
S/2004/396	119	5e		Liberia	Government rule of law	The National Transitional Government should increase the recruitment and training of community-based police to decrease dependence on private security forces.	

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S/2004/396	119	5e		Liberia	Timber sector reform (distribution of wealth)	Forestry must be equitable; laws must be changed to ensure that rural communities will benefit from revenue-sharing.
S/2004/396	119	4	See S/2003/779, para. 17, 71, 79, 80, 81, 83, 84, 85, 92, 95		role of UNMIL	Therefore, the recommendations in previous reports of the Panel (S/2003/779 and S/2003/937) remain valid. In summary, the following is recommended: full deployment of UNMIL; UNMIL cooperation in monitoring sanctions, especially at border crossings and ports; United Nations assistance in establishing civil authority throughout Liberia - for example, civilian police training for FDA enforcement officers; reform of the Forestry Development Authority to provide good governance of the forest sector.
S/2004/396	120	1		UNSC	sanctions	The Security Council should maintain sanctions until the forest is both secure and well-managed.
S/2004/396	152a	5c	see S/2003/779, para. 83	International community (implied)	Liberian reforms for good governance	The National Transitional Government of Liberia should be encouraged to urgently take further bold steps to demonstrate its commitment to transparency and accountability by promptly publicizing and prosecuting cases of corrupt practices and misgovernment by National Transitional Government officials and other public servants as they are discovered.
S/2004/396	152b	5c		International Community	international community must remain committed to UNMIL	The international community must make good on its promises to Liberia by providing the pledged finances in a timely and transparent manner, to ensure that the implementation of cluster activities in the results-focused transitional framework particularly related to disarmament, demobilization, rehabilitation, and reintegration and the resettlement of internally displaced persons and refugees is adequately funded taking seasonal constraints into full account.
S/2004/396	152c	6		International community, UNMIL	international assistance to Liberian civil society	The international community, in particular the United Nations peacekeeping mission, should do everything possible to publicly and tangibly demonstrate that the needs and concerns of the wider Liberian civil society, especially non-combatant youths, are factored into the planning of its allocation of resources.
S/2004/396	152d	4		International community (esp. NGOs), UN agencies	All actors must help resolve endemic environmental problems	The implementing agencies of Liberia's recovery and reconstruction programs, particularly nongovernmental organizations and United Nations agencies, must be encouraged and assisted, to the extent possible, to mainstream the cross-cutting issue of the environment in their programs, in the light of the emphasis of current interventions on agriculture, food security, and shelter construction for returnees, and given the potential environmental impact of those activities, in addition to existing environmental problems related to the resettling of over 1 million Liberians.
S/2004/396	152e	6		UNMIL	role of UNMIL	In accordance with paragraph 25 of resolution 1521 (2003), UNMIL should continue to play a proactive role in sensitizing the Liberian population, particularly in the rural areas, about the sanctions regime.
S/2004/396	152e	6		UNMIL	role of UNMIL	Furthermore, UNMIL should maintain its support of the National Transitional Government of Liberia and other civil society groups to promote actively public debates and dialogue among

S/2004/396	87a	2		Governance Reform Commission, Conflict and Monopolies Commission, Liberia	government must reform itself from within	the Liberian people in all the counties, to foster better understanding of the reform process instigated by sanctions, and their rights and responsibilities to participate fully in the process. As provided in the Comprehensive Peace Agreement, the Governance Reform Commission (article XVI) and the Contract and Monopolies Commission (article XVII) should be fully implemented. These Commissions should recommend to the National Transitional Government of Liberia, with international expert assistance and within their mandates, the removal of any member of the National Transitional Government who: fails to comply with the provisions of the Comprehensive Peace Agreement; violates paragraph 2b. of the mandate of the Contract and Monopolies Commission, namely, "Ensuring that public officers will not use their positions to benefit from any contract financed from public funds;" violates Executive Order No. 2 to deposit funds at the Central Bank.
S/2004/396	87a	5d		International financial and managerial experts	professional oversight (finance and managerial issues)	Financial and managerial experts from the international community should assist and oversee agencies of the National Transitional Government. Those experts should help to develop salary scales and also assist the two Commissions.
S/2004/396	87b	5d		International experts	professional oversight	Experts from the international community should be placed in each government agency to provide oversight and managerial assistance.
S/2004/752	19	Various	See S/2003/779 S/2003/937 S/2004/396	Various	timber sector reform	Although there is widespread compliance with timber sanctions, few of the necessary reforms have been implemented. Therefore, the recommendations contained in previous panel reports (S/2003/779, S/2003/937, S/2004/396, and Corr. 1) remain valid.
S/2004/955	8	6		UNMIL	role of UNMIL	The Panel approves the permanent presence of UNMIL civilian police officers at Robertsfield International Airport (RIA) as it may enhance the security procedures on one hand and may allow an overall supervision of RIA civilian security personnel.
S/2004/955	49	4		International community	create alternatives to logging	The Panel recommends that the international community, through its implementing agencies, increase its financial assistance to allow the creation of alternative employment in the key logging concession and diamond-mining areas. Such assistance could include support to projects for the rehabilitation of cash crop plantations, road rehabilitation and maintenance, land reclamation at degraded mining sites and reforestation of over-harvested concession areas.
S/2004/955	50	4		International community	international aid for maintaining government services	The Panel recommends that the international community sustain its financial assistance for the provision of urgently needed social services, including the rehabilitation and maintenance of hundreds of health and educational facilities that were destroyed during the conflict, especially in the former logging concession areas.
S/2004/955	51	4		Government of Liberia, International community	timber sector reform - International assistance	The Panel recommends that the National Transitional Government of Liberia, the donor community, United Nations agencies, international nongovernmental organizations and conservation organizations maintain their support to the Forestry Development Authority in efforts to speed up reform of the forest sector and rebuild the institutional capacity of FDA, especially the technical capacities of its personnel, in preparation for sustainable forestry practices, after the lifting of sanctions.
S/2004/955	52	6		UNSC	role of UNMIL	The Panel recommends that UNMIL be adequately empowered to take a proactive stance in identifying and publicizing high-level corruption and other serious violations of public trust, so as to emphasize the importance of and urgent need for accountability and transparency as means of restoring public confidence in the capacity to govern of the National Transitional Government, as well as encouraging popular participation in the reform and institution-rebuilding processes in post-war Liberia.

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S/2004/955	62	5b		International community	monitor Côte d'Ivoire-Librian border	The Panel recommends that particular attention should be paid to the borders between Côte d'Ivoire and Liberia. Refugee movements to Liberia from Côte d'Ivoire may also contribute to destabilizing the fragile peace in Liberia.
S/2004/955	71	5b		Regional and international actors	monitor regional borders	The Panel recommends also reinforcing surveillance of the borders in the whole sub-region.
S/2004/955	71	5e		National Transition Government	arms embargo	The Panel findings indicate that recent flows of arms into Liberia are limited and are mainly for the purpose of becoming part of the Liberian disarmament, demobilization, rehabilitation, and reintegration process. Nevertheless the porous nature of the borders, the existence of arms caches and the recent riots in Monrovia all indicate that the situation remains fragile and tense. The destabilizing events which occurred in Côte d'Ivoire raised more concerns about the possibilities of weapons trafficking in the sub-region. The Panel therefore recommends maintaining the provisions of paragraph 2 of Resolution 1521 (2003) and paragraph 1 (a) of Resolution 1549 (2004).
S/2004/955	81	6		UNMIL, Liberian civil aviation authorities	role of UNMIL	It is recommended that UNMIL continue its collaboration with the Liberian civil aviation authorities.
S/2004/955	91	2		Member States	third party obligation to enforce sanctions	The Panel recommends that the States that have established business relations with [persons on the travel-ban listed] should be reminded to implement the resolution.
S/2004/955	110	1	S/2001/1015, para. 8, 100	UN	embargo	The Panel recommends that the current embargo on the export of Liberian diamonds remain in force until Liberia is in a position to make a successful application for participation in the Kimberley Process Certification Scheme.
S/2004/955	111	4		International community	Implementation of Kimberley Process and UNSC requirements	The Panel recommends that the international community take immediate steps to provide the necessary funding and technical assistance to enable the Government of Liberia to meet the requirements of the Security Council and the Kimberley Process Certification Scheme. Without such assistance, illegal production will increase and Liberian diamonds will undermine not only the efforts of neighboring States to adhere to the requirements of the Kimberley Process but also the credibility of the global diamond industry.
S/2004/955	112	6		UNMIL	role of UNMIL	The Panel recommends that UNMIL be given the authority to assist the Government of Liberia in asserting its control over its diamond-producing regions until such time as Liberia is ready to participate in the Kimberley Process and United Nations sanctions are lifted. In particular, UNMIL could effectively map mining activity in the interior and deploy personnel to inspect licenses and concession agreements. Placing pressure on illegal diggers would go some way towards controlling illegal smuggling. There is a precedent for this: UNAMSIL gave similar assistance to the Government of Sierra Leone as part of its successful attempts to legitimize and assert its control over the diamond industry of that country.
S/2004/955	134	1	See S/2003/779, S/2003/937.	Liberia, International community including	timber sanctions	Although there is compliance with timber sanctions, few of the necessary reforms have been implemented. Therefore, the recommendations set out in previous reports of the Panel

S/2004/955	138	1	S/2004/396 and Corr.1 S/2004/752	UN and NGOs	UNSC	reducing sanctions regime	(S/2003/779, S/2003/937, S/2004/396, and Corr. 1 of S/2004/752) remain valid.
S/2004/955	138	4	See S/2004/396, para. 119	National Transitional Government	National Transitional Government	timber sector reform - professional oversight (FDA)	In order to hasten this process and get Liberians back to work in the sector, a professional management team should be brought in to run FDA.
S/2004/955	143	5e		National Transitional Government	National Transitional Government	Government reform (best practices)	The recommendation of the Governance Reform Commission for repeal of the 1972 law to make the Office of the Auditor General an autonomous body reporting directly to the National Assembly is consistent with the best international practices and should be implemented forthwith.
S/2004/955	144	5e		National Transitional Government	National Transitional Government	industry reform (implement best-practices)	The Panel recommends that the National Transitional Government of Liberia take immediate action on the recommendations of the independent auditors so that these institutions [revenue-producing State-owned enterprises] start following best international practices.
S/2004/955	146	2		Independent third party (implied). National Transitional Government	Independent third party (implied). National Transitional Government	government oversight (audit)	The Panel recommends that the accounts of the Registry for the years 2001, 2002, and 2003 should be audited so that the revenues received from the Registry may be matched with the funds accounted by the National Transitional Government of Liberia.
S/2004/955	150	2		Independent agency, National Transitional Government	Independent agency, National Transitional Government	investigate disappearance of funds	The Panel, therefore, recommends that a thorough inquiry by an independent agency be conducted to determine (a) how money was withdrawn from the government accounts without proper allotment letters from the Bureau of the Budget, and (b) which departments were involved, which authorities spent in excess of budgetary allocations, and the basis on which the funds were allotted. This is necessary to prevent the recurrence of such expenditure in the future.
S/2004/955	165	1	See S/2003/779, para. 17	International community	International community	moratorium on commercial activities	The Panel wishes to reiterate its earlier recommendation (see S/2003/779) for a moratorium on all commercial activities in the extractive industries until a newly elected popular and accountable Government takes over and good governance is established.
S/2004/955	173	4		International community	International community	Liberia must implement financial sanctions	The Panel recommends that adequate international pressure be brought upon the National Transitional Government of Liberia for prompt implementation of the financial sanctions.
S/2004/955	173	4		International community	International community	Legal aid for financial sanction implementation	It also suggests that necessary legal assistance should be provided to the Transitional Government on a priority basis for implementation of the financial sanctions within the territory of Liberia.
S/2005/745	57	2		International Community	International Community	technical and material assistance to prepare for Kimberley Process application	Liberia still has some way to go before it is in a position to make a successful application to participate in the Kimberley Process certification scheme. While it remains outside the Kimberley Process, Liberian production threatens the credibility of the certification schemes in neighboring States. In the wake of the successful democratic elections, donors should disburse funding for the structural reforms necessary for compliance with the Kimberley Process as quickly as possible. The Panel recommends that the international community provide the technical and material assistance necessary for Liberia to satisfy the requirements of the United Nations as quickly as possible.

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S/2005/745	58	1		UN UNSC	criteria for lifting sanctions	Should the Security Council maintain sanctions for a further six months, the Panel recommends a provision for review at the request of the Government of Liberia once it concludes that the criteria for lifting the sanctions have been met.
S/2005/745	59	6		UNMIL	extend UNMIL to restore rule of law	UNMIL should be given an extended mandate to assist the new Government of Liberia to restore the rule of law in mining areas throughout the country, paving the way for a successful program of licensing and general sector reform.
S/2005/745	60	2		International Community, non-diamond producing neighboring states	technical and material assistance to prepare for Kimberley Process application	The Panel recommends that the international community provide the necessary technical and material assistance to non-diamond-producing neighboring States to enable them to participate in membership of the Kimberley Process. Failure to do so could result in those States increasingly becoming trans-shipment points for illicit diamonds.
S/2005/745	78	5a		Panels of Experts	recommendations remain valid	Sanctions are effective, but much of the domestic industry continues illegally. At the end of the National Transitional Government of Liberia's term, few of the necessary reforms have been implemented. Therefore, the recommendations of the Panel in its previous reports (S/2003/779, S/2003/937 and Add.1, S/2004/396, and Corr.1 and 2 of S/2004/752, S/2004/955 and, most recently, S/2005/360) remain valid.
S/2005/745	79	4		Liberia, FDA	FDA reform	Furthermore, the Security Council, in its resolution 1607 (2005), paragraph 4, urges the National Transitional Government of Liberia to implement the recommendations of the Forest Concession Review Committee. In addition, FDA must implement its strategy for controlling pit-sawing; Ensure adequate financial control, including an immediate audit; install GEMAP provisions; reform the staffing, including reducing the number of staff from 550, properly compensating the remainder, training them and ensuring that they function appropriately.
S/2005/745	80	4		FDA, Liberia Forest Initiative	FDA reform	Furthermore, FDA should cooperate with the Liberia Forest Initiative to implement fully the agreed-upon reform package (see annex II). The Board of Directors must issue all necessary regulations and the legislature and President must enact all necessary legal reforms to ensure that laws and regulations are consistent.
S/2005/745	119	2		Auditor-General, European Commission	Comprehensive audits	Comprehensive audits of the offices of the Executive Mansion, the Vice-Chairman; the Ministries of State for Presidential Affairs of Lands, Mines and Energy, of Commerce and Industry, of Justice and of Finance; the Budget Bureau and the General Service Agency should be conducted by the Auditor-General for the period from October 2003 to December 2005 with technical assistance and guidance provided by the European Commission. The audits should be conducted within a time-bound period and the reports made public within a period of six months.
S/2005/745	120	2		Liberia	limit executive branch's budgetary power	The executive branch should not be empowered to make re-appropriations in excess of 10 per cent of the budgetary provisions without the approval of the legislature.



S/2005/745	121	2	Liberia	transparency in hiring	All GEMAP positions should be filled on a priority basis and time-bound objectives should be prescribed for each position and the achievements closely monitored.
S/2005/745	122	2	State-owned enterprises, independent audit firm	audit state-owned enterprises	The financial accounts of all major revenue-generating State-owned enterprises (LPRC, National Port Authority, Roberts International Airport, the Bureau of Maritime Affairs, and FDA) for the transitional period should be completed, an audit conducted by an independent international firm within three months and the results made public.
S/2005/745	123	2	Liberia	account for and handover assets to incoming government	All assets procured by the National Transitional Government of Liberia should be accounted for and handed over to the incoming Government.
S/2005/745	134	1	International community, Liberia	international pressure to implement assets freeze	Adequate international pressure should be put on the incoming Government of Liberia to implement Security Council Resolution 1532 (2004) in letter and spirit. Every effort should be made to speed up the legal process in Liberia to freeze the assets of the designated persons.
S/2005/745	135	1	Liberia	uphold assets freeze	The Government of Liberia should be requested to ensure that no funds are made available to the persons on the assets freeze list, as stated in the resolution.
S/2005/745	136	1	Committee of states	uphold assets freeze	A midterm review of the assets of persons designated by the sanctions committee should be done through a committee in which representatives of the United States, the European Union, UNMIL, the Government of Liberia, and ECOWAS are members, and necessary legal action to confiscate assets, if deemed necessary, should be undertaken.
S/2005/745	185	2	Government of Liberia, international community	implement GEMAP	The newly elected Government of Liberia must make every effort to cooperate proactively with the international community in implementing GEMAP as a prerequisite to restoring the confidence of the Liberian public, donors and the international community at large. The Government must further endeavor to demonstrate its commitment to transparency and accountability by taking prompt and decisive action against public officials found to be engaged in corrupt practices.
S/2005/745	185	5	Donors	allocate resources to infrastructure and reintegration programs	Donors to Liberia, taking note of the desperate state of the country's economy, must urgently prioritize the allocation of adequate resources to speed up infrastructural rehabilitation, as well as rehabilitation reintegration programs, as critical aspects of the peace process. Such a program should prioritize the creation of enabling conditions in the rural areas to attract small, medium, and large investments for employment creation, and thus the speedy return of social and economic life to rural Liberia. Of particular urgency in this regard is the rehabilitation of roads and bridges.
S/2005/745	185	5	Liberia, donors, implementing agencies	mitigate negative environmental impact	The Government, its donors and their implementing agencies, taking full cognizance of the critical role of the extractive industries and agricultural sectors in rebuilding the economy of Liberia, must factor in their allocations of financial and technical assistance the costs of mitigating the many emerging and potential negative environmental impact of ongoing and future exploitation of these natural resources.
S/2006/379	28	5e	President Johnson-Sirleaf, House, and Senate	reiterate ban on commercial logging	President Johnson-Sirleaf should reiterate that the intention of Executive Order No. 1 is that neither commercial logging nor exports occur until the completion of the FRMC reform process. The House and Senate should, likewise, pass supporting legislation.

**COMPREHENSIVE CHARTS: PANEL RECOMMENDATIONS FOR SANCTIONS IMPLEMENTATION IN LIBERIA**

Report	Para.	Cat.	See Also	Actor(s)	Translation	Language: 1=Embargo and Sanctions 2=Accountability 3=Panel Mandate 4=State Capacity 5=Role of Various Actors (a=UN; b=regional actors; c=Third Party States; d=Third Party non-States; e=Target State)
S/2006/379	29	5c		China, EC, UK	international commitment to purchase only legal timber	The major consumers of Liberian timber in the past, the EC and China, should agree to purchase only legal timber as verified by the chain of custody contractor. The United Kingdom has requested that the EC codify such an agreement through a voluntary partnership agreement with Liberia and the Ambassador of China to Liberia indicated that if the FDA so requested, China would join such an agreement.
S/2006/379	30	5		UN, UNMIL, FDA	renewed commitment to previous recommendations	The reforms, including needed laws and regulations, have not been completed and enacted and, therefore, the recommendations of previous panel reports (S/2003/779, S/2003/937, S/2004/396, S/2004/752, S/2004/955, S/2005/360, and, most recently, S/2005/745) remain valid. However, the new Managing Director has made dramatic improvements, especially that of working with UNMIL military checkpoints to ensure financial control over pit sawing. Further collaboration with UNMIL military observers in conducting joint patrols with the FDA should help introduce control over forest resources by reactivating the field offices.
S/2006/379	31	5c, d, e		FDA, LFI, FRMC, President Johnson-Sirleaf, China, EC	implementation of reform package on timber	The FDA should continue its cooperation with the LFI and the FRMC to implement fully the agreed upon reform package. The Board of Directors must issue all necessary regulations and the legislature and President must enact all necessary legislation. The EC and China should be encouraged to sign a voluntary partnership agreement with Liberia to ensure that only legal wood enters international trade.
S/2006/379	44	5c, d, e		member countries, World Diamond Council	external, independent diamond valuations	Arrangements for external, independent, valuations have yet to be made. While one company has expressed an interest, no formal invitation for bids has yet been issued by the Government of Liberia. An alternative to the commercial independent valuation sector may be assistance from the World Diamond Council, which could provide specialists on secondment from member countries and companies at short notice to perform this function, which will be critical for the maintenance of exporter confidence.
S/2006/379	65	5a, c, e		International community, Government of Liberia, UNSC	application to Kimberley Process	The Panel recommends that the international community continue to support the Government of Liberia in its efforts to meet the requirements of the United Nations Security Council and the Kimberley Process. The Panel emphasizes that maintenance of momentum at this stage of implementation is critical if Liberia is to make a successful application for participation in the Kimberley Process.
S/2006/379	66	5a		UNMIL	UNMIL mandate	The Panel recommends that UNMIL be given a mandate to assist the Ministry of Lands, Mines, and Energy with the regularization and control of the diamond sector, particularly with regard to the recording of mine locations in preparation for a comprehensive licensing scheme. Aerial and personnel assistance would be invaluable for this endeavor.
S/2006/379	108	4, 5e		Government of Liberia	transparency of all financial activities	There needs to be continuous vigilance to improve the overall transparency of all financial activities to ensure that any lifting of sanctions will provide revenues directly to the Government for the benefit of Liberians and not be used to support conflict.

S/2006/379	109	2, 4, 5d, e	Government of Liberia, GAO, LPRC	Government and GAO action and auditing to promote accountability relating to finance	<p>The following recommended actions must be undertaken: (a) All donations/contributions made by all State-owned enterprises to functionaries of the National Transitional Government of Liberia should be investigated to see that they have been used for the appropriate purposes, and all balance amounts, vehicles, and equipment have been transferred to the new government. This can be done through the audits that President Johnson-Sirleaf has proposed for all State-owned enterprises. (b) LFRC should make a reconciliation quarterly of actual payments made by the importers to various agencies so that the actual payments are reflected when the prices of petroleum products for public consumption are determined. (c) The payment of import duties and goods and services tax by rice importers should be audited by the General Auditing Office (GAO), and a report should be submitted within three months. (d) The Government should enter into a dialogue with LISCRC to take appropriate steps to resolve the government revenues back to the 1997-2000 level. (e) GAO should conduct a new audit of LIMINCO to establish the factual position and to undo the harm the previous report inflicted on the credibility of the office of the Auditor General. (f) GAO should be strengthened and provided with adequate infrastructure and qualified manpower so that it can perform its onerous responsibilities. The office should also conduct the audit of the accounts of all important ministries/departments and major revenue generating parastatal entities annually.</p>
S/2006/379	122	5e	Government of Liberia	assets freeze	<p>All efforts should be made to speed up the legislation process in Liberia so that the Government can implement Security Council resolutions in letter and spirit.</p>
S/2006/379	152	5e	Government of Liberia, international actors	Government action to address the impact of sanctions on the socio-economic and humanitarian situation in Liberia	<p>The Panel recommends that the Government of Liberia and its international partners: (a) Prioritize the creation of opportunities for Liberians to have greater access to markets and other social services in the larger population centers around the country. Investing heavily in the construction/rehabilitation of durable roads and bridges would significantly enhance the livelihoods of the rural populations, while creating employment, training and income-generating opportunities for thousands; (b) Give urgent priority to the development of Liberia's human capital, through increased accelerated learning programs that address the ability of the poor to utilize economic opportunities, including education, skill and health levels. With a national illiteracy rate of over 70 percent, the Government must intensify its international campaign to attract more educated, experienced, and skilled Liberians in the diasporas to return home and participate in such programs; (c) Adopt a proactive stance in ensuring the sustainable management of its natural resources, particularly forests, given their significance in the economic, social, and cultural lives of the Liberian people. All the key players in Liberia's recovery process, most importantly the private investors, nongovernmental organizations, bilateral and multilateral donors and their implementing partners on the one hand, and the local communities and leaders on the other, must be actively engaged and assisted in integrating environmental considerations into their various livelihood support activities and interventions across all sectors.</p>
S/2006/379	161	5c	member countries	reports on implementation of travel ban	<p>Countries should, therefore, report at least once a year to the Committee, describing their investigations and any violations of the travel ban.</p>
S/2006/379	165	5a	UNDP	increase effectiveness of weapons-surrender programs	<p>The Panel remains concerned that an undetermined number of ex-combatants have probably kept weapons, even if only for protection. The UNDP project "Arms for Development", launched in January 2006, ended in May 2006 with 38 rifles surrendered under a special waiver (see annex VII). A more direct incentive for the ex-combatants to surrender weapons may help the project to increase the number, in the opinion of the Panel.</p>

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S/2006/379	167	5a		UNSC, Member States	arms embargo	The Panel recommends that the arms embargo remain in place until the end of the training of the Liberian army and, should it be lifted, that the lifting should not extend to non-State actors.
S/2006/379	179	4, 5e		Liberian National Police, Ministry of Internal Affairs	weapons restrictions among police	Both the LNP [Liberian National Police] Director and the Ministry of Internal Affairs agree that weapons are needed to help the police to control crime in the city, especially armed robbery. The Panel suggests the following: (a) Weapons access should be restricted to a police support unit that provides armed back-up, if and when necessary; (b) The police should be provided with weapons and ammunition that are traceable and can thus be linked back to the original recipient; (c) An internal affairs unit could be established within the LNP with adequate power to investigate abuses and corruption cases and; (d) The possibility of the use of non-lethal weapons should be studied
S/2006/976	16	2, 5		Government of Liberia, international actors (review committee and its Chairman)	review concessions and contracts awarded under the National Transitional Government, remedy conflicts of interest	Development, and especially investment, is also being hampered by the lack of progress in reviewing the concessions and contracts awarded under the National Transitional Government. So far, not a single review has been concluded. (The contract with Mittal Steel was removed from the review committee and negotiated directly with the Government.) The committee, comprising representatives of both the Government and the international community, has been hindered by its leadership and process, such as a lack of clear decision-making criteria. (In addition, a conflict of interest exists, with the Chairman of the review committee also heading the Rubber Planters Association. He should recuse himself during deliberations regarding rubber concessions.)
S/2006/976	29	5e	S/2005/745, para. 42	Government of Liberia Ministry of Lands, Mines, and Energy	enforce mining embargo	In August, the Jungle Waters mine, situated in close proximity to Gbapa (latitude 7°30 north, longitude 8°35 west — see S/2005/745, para. 42), was flooded, with no mining activity in evidence. However, in late October, a significant area of ground around the pit had been cleared by Caterpillar tractor, and the mine itself was in the process of being opened and drained with a dragline and pumping equipment. The Panel urges the Ministry of Lands, Mines, and Energy to remind Jungle Waters of the current sanctions regime and its obligations under the ongoing mining embargo.
S/2006/976	31	5		Government of Liberia, international community	address public health, humanitarian concerns	The Government continues to lack the capacity to deal with the Sinoe County problem. Of greatest concern is the public health risk that this situation presents. There is no provision for clean water and sanitation in these bush camps, and the humanitarian community must act quickly to prevent an epidemic of waterborne disease.
S/2006/976	36	4, 5e		Government of Liberia Ministry of Lands, Mines, and Energy	progress toward membership in the Kimberley Process	The management of the implementation of reforms remains problematic, particularly with regard to coordination and cooperation. While technical assistance from the international community continues to be robust, the Government of Liberia and the Ministry of Lands, Mines, and Energy must significantly strengthen their roles in the day-to-day management and procedures required for membership in the Kimberley Process.

S/2006/976	37	4, 5e	Government of Liberia	progress toward membership in the Kimberley Process	While the Government has established an inter-ministerial committee charged with coordinating the tasks required for successful implementation of the Kimberley Process Certification Scheme, as well as a high-level steering committee with the role of coordinating donor support and policy development, the Panel is concerned by the general lack of activity of these two groups. Although terms of reference for both bodies have been produced, they meet infrequently and have so far failed to develop profiles of leadership and action. It is imperative that this situation be redressed as soon as possible to provide a strong foundation of guidance and support for the Kimberley Process unit within the Ministry. The Panel stresses that responsibility for the long-term management and maintenance of the Kimberley Process Certification Scheme lies with the Government and its organs, rather than with the international community.
S/2006/976	51	5d, e	Government of Liberia, World Diamond Council	external, independent diamond valuations	Arrangements for external, independent valuations have still not been made. Should the Government of Liberia choose to engage the private sector, it must issue a tender for bids as soon as possible. An alternative may be assistance from the World Diamond Council. Either way, action should be taken as quickly as possible.
S/2006/976	55	5d, e	Government of Liberia, Lloyd's of London	technical assistance for increasing marine awareness and control	In order to increase marine awareness and control, Liberia should accept an offer from Lloyd's of London to install an automatic identification system at each of the five main ports. (The system uses GPS receivers coupled with VHF radios to monitor the movement of all ships weighing more than 300 tons.)
S/2006/976	58	2, 5e	Government of Liberia	accountability, rule of law	The European Commission assisted FDA in a financial audit covering 1 October 2003 to 31 January 2006. The current Board of Directors concluded that it could not certify the financial statements without note, given the evidence of corruption and incompetence during the National Transitional Government of Liberia. Although the previous Board was also liable for fiduciary oversight, it did not demand proper accounting. The Government of Liberia should consider appropriate penalties, given the previous Board's failure.
S/2006/976	60	2, 5e	Government of Liberia	accountability, rule of law	As an immediate consequence of the audit, the Managing Director prevented most of the accounting department from returning to work. In addition, FDA has refused to further compensate former Board members or the National Transitional Government's management team. FDA has asked the Ministry of Finance to assist in reviewing all the liabilities and expenditures. The Government should fire, and prosecute, if appropriate, those identified in the audit as incompetent and/or corrupt.
S/2006/976	63	5e	FDA	rule of law, new legislation (logging industry)	FDA must ensure that the resumption of industrial logging proceeds according to the requirements of the new forestry law. No concession can be awarded before proper land-use planning is complete and community rights have been respected. (To that end, before October 2007, the Legislature must pass a new law governing community rights with respect to forest lands through a participatory process of consultation.) Likewise, concessions must be awarded on the basis of competitive bidding, and logging cannot begin until a management plan and environmental assessment is complete.
S/2006/976	64	5a, e	FDA, UNMIL	technical assistance for enforcing rule of law	FDA should accept the offer of UNMIL to provide joint patrols, using military observers, to try to establish control over pit-sawing.

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S/2006/976	66	5e		Government of Liberia, FDA	rule of law and new legislation (logging industry)	FDA should not be placed under undue political pressure to ignore the provisions of the National Forestry Reform Law. Implementation must include the passage of a new law governing community rights, and the Government must establish a commission to tackle tenure and land-use issues.
S/2006/976	67	2, 5e		Government of Liberia	Accountability, transparency	In order to send a clear message that the culture of impunity is over, the Government of Liberia must hold accountable those who committed crimes, including fraud and misappropriation of timber revenues. At the very least, those identified in the European Commission audit must be fired and must not receive any severance package unless they can clearly show that they were forced to engage in fraud.
S/2006/976	68	5d, e		Government of Liberia, logging industry	accountability, rule of law (logging industry)	Likewise, in accordance with the President's statement of July 2006, no person or company should receive any new contracts or concessions if they have arrears with the Government. Therefore, no loggers should receive a new concession until they have paid all their back taxes and fees, in addition to a penalty.
S/2006/976	69	5c		Buyers, including European Commission, international community	timber sanctions, buyer responsibility	International buyers must accept responsibility too. To that end, the European Commission should sign a voluntary partnership agreement with Liberia to ensure that only legal timber is exported and that trade does not fund conflict. Other buyers, especially large importers such as China, should become partners to the agreement.
S/2006/976	98	5		Government of Liberia, international partners	roads and infrastructure, economic development	The Panel recommends that the Government of Liberia and its international partners employ all possible measures to speed up the construction and rehabilitation of road networks and other public infrastructure. This will provide urgently needed employment opportunities for thousands while creating enabling conditions for the delivery of development aid and the provision of social services to rural Liberia. Improving the roads will also increase access to markets by rural farmers, thus providing the urgently needed incentives for increasing agricultural production and stimulating further investment in the sector. A vibrant agricultural sector could significantly relieve the pressure on the logging industry, which many Liberians believe is the solution to the country's high rate of unemployment.
S/2006/976	126	2, 5e		Government of Liberia	accountability, rule of law	In view of the contradictory statements of Mr. Snowe [Managing Director of LPRC in 2006] and Mr. Bryant [Chairman of the National Transitional Government], [concerning cash withdrawals from LPRC] the Panel recommends that the President of Liberia order an immediate investigation and all appropriate legal action. The Panel further recommends that all donations/contributions made by all State-owned enterprises to National Transitional Government functionalities be investigated, including whether vehicles and other equipment have been properly returned to the Government.
S/2006/976	129	5e		Government of Liberia	financial transparency	A subsidiary of LISCR, the LISCR Trust Company (LTC), a Liberian registered corporation, is the exclusive registered agent of non-resident corporations. The registered agent fees collected by LTC are not accounted for in its books and, as a result, LTC does not pay taxes on them in Liberia. LISCR claims that LTC pays taxes not in Liberia but in the United States.

S/2006/976	138	5d, e	Government of Liberia, Bureau of Maritime Affairs and private agents	rule of law, corporations	given that LTC operates the registry there. However, in the LTC financial statements for 2001-2005, there is no disclosure. The Government of Liberia should investigate whether it is appropriate for LTC to follow this practice.
S/2006/976	145	5e	Government of Liberia	strengthen Office of the Auditor-General	The Government should review the contract for the maritime and corporate registry with the agent so as to include all revenue in a consolidated account, which, after all expenses are deducted, should be shared according to a prescribed ratio by the Government and the agent. The new Government did not appoint an Auditor-General until November; the previous Auditor-General acted in the interim. Furthermore, the recast budget slashed the budget of the General Auditing Office to one third of its original size. As a result, the functioning of the Office has been badly affected. The strengthening of the Office as an instrument of accountability is of paramount importance.
S/2006/976	146	5e	Government of Liberia	progress on financial transparency, lifting of sanctions	The financial picture is improving since the new Government took power. The Government has begun to address some of the prior shortfalls in revenues and fraudulent expenditures, but there needs to be continued vigilance to improve the overall transparency of all financial activities to ensure that the lifting of sanctions will provide revenues directly to the Government for the benefit of Liberians and not be used to support conflict.
S/2006/976	147	2, 5e	Government of Liberia	audit all ministries, departments, and agencies	All ministries, departments, and agencies should be audited annually, back to October 2003, and legal action should be pursued against corrupt officials.
S/2006/976	147	5e	Government of Liberia, General Auditing Office	audit payment of import duties and taxes (especially targeting petroleum and rice importers)	The payment of import duties and taxes, by petroleum and rice importers in particular, should be audited by the General Auditing Office, with a report submitted within three months. Effective pre-shipment inspection of petroleum imports should begin immediately.
S/2006/976	147	5e	Government of Liberia	collecting arrears	The Government should institute a collections department to pursue large outstanding arrears. As per the BIVAC contract and the President's policy announced in July, no one should be allowed to import or export goods or obtain a Government contract until their arrears are paid.
S/2006/976	147	4, 5e	Government of Liberia, General Auditing Office	strengthen Office of the Auditor-General, audit ministries, departments, and parastatals	The General Auditing Office should be strengthened and adequate infrastructure and qualified manpower provided so that it can carry out its onerous responsibilities. The Office should also audit the accounts of all important ministries, departments and major revenue-generating parastatals annually.
S/2006/976	159	5e	Government of Liberia	assets freeze	The Government of Liberia must institute appropriate measures, whether through legislation or executive order, so that it can implement Security Council resolutions in both letter and spirit without any further delay.
S/2006/976	176	2, 5	Liberian courts, UN, international community	support for securing basic equipment for courts; integration with UN-led activities	UNMIL has trained lawyers distributed to most of the counties who provide support to local Liberian judicial officers. Unfortunately, most courts cannot function properly for lack of the most basic equipment, such as typewriters and paper. The Panel believes that support in those areas would have a substantial and rapid impact, as well as integrating well with other United Nations-led activities.

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S/2006/976	217	5a, e		UNSC, Government of Liberia	UNSC approval for use of private security firm	The Panel notes that an armed private security firm will be contracted to guard these facilities [armory vault of the new Armed Forces of Liberia] until the armed forces are ready to take over those duties. The Panel suggests that this process should be subject to prior approval by the Security Council.
S/2006/976	218	5e		Government of Liberia, Liberian National Police	weapons restrictions among police	The Liberian National Police remain unarmed, and the first batch of weapons and ammunition are expected to arrive from Nigeria. These include 50 Beretta pistols, 6,000 smoke cartridges and 3,000 hand grenades. The Panel notes that the grenades should be only the tear-gas type appropriate for police activities.
S/2006/976	130 and 133	5e		Government of Liberia	transparency	LISCR and the Liberian registry for which it acts as agent share certain costs to support their mutual missions. The amount LISCR has paid for its apportionment of operating costs has fluctuated over the past five years (see table 9). The agent states that it reduced its computed share of the operating expenses in 2003 because it had been more than its fair share from 2000 to 2002 during the Taylor regime. The vague provisions of the payment process suggest that the Government should revisit the agreement and determine an apportionment that is fair and practical for all parties.
S/2006/976	134 and 137	5d, e		Government of Liberia, Bureau of Maritime Affairs, and private agents	rule of law, corporations	In 1999, the Bureau of Maritime Affairs changed the agent running the shipping registry. As part of the move, the Bureau agreed to pay all reasonable transition expenses approved by the Commissioner, as defined in the agreement between the agent and the Government. The agreement provided for joint control by the Government of Liberia and the agent over maritime funds in the special accounts, but this system was relaxed during the period of the National Transitional Government. The Panel recommends that the provisions for control be strictly followed and that major decisions should be taken with the prior consent of the Government only.
S/2007/340	44	1, 5e		Government of Liberia, FDA	new community forestry and conservation laws	The Government of Liberia must pass new community forestry and conservation laws, especially to address outstanding issues of land tenure.
S/2007/340	45	2, 5e		Ministry of Justice, FDA	prosecute corruption	The Ministry of Justice must pursue the prosecution for misappropriation of those identified in the EC-funded audit of FDA, even through they no longer work for the FDA.
S/2007/340	46	5d		Government of Liberia,	requirements for new contracts	No person or company can receive any new contracts or concessions if they have arrears with the Government. Therefore, no former logging companies should receive new contracts until they have paid all their arrears.
S/2007/340	47	5c		EC, Liberia	partnership agreement against illegal trades	EC should negotiate a voluntary partnership agreement with Liberia to ensure that only legal timber is exported and that trade does not fund conflict. Liberia should encourage other large importers, such as China, to become partners in the agreement.



S/2007/340	59	5e	Liberia	Kimberley Process implementation	Liberia should continue, with the assistance of partners, to build capacity and train officials whose work relates to Kimberley Process implementation (including Government Diamond Office staff, mineral inspectors and mining agents and customs, police, immigration, banking, and finance officials). Liberia is strongly encouraged to invite a Kimberley Process review visit within a year of full participation in and implementation of the Kimberley Process Certification Scheme.
S/2007/340	60	5e	Liberia	inviting a Kimberley Process review	
S/2007/340	61	5e		increased cross-border movement	The Ministry of Lands, Mines and Energy should alert UNMIL, LNP, customs, immigration, and other relevant authorities in border areas to the potential for increased cross-border movement following the lifting of sanctions, to the Kimberley Process and the resumption of diamond activity in border areas.
S/2007/340	62	5e	Liberia	permanent exclusion of foreign (non-Liberian) diamond-trading companies	Liberia should report to the Kimberley Process regarding the implementation of the outstanding recommendation that Liberia permanently exclude foreign (non-Liberian) diamond-trading companies from incorporating through the Liberian International Shipping and Corporate Registry (LISCR), as this undermines the goals of the Kimberley Process and its efforts to bring transparency to the diamond market.
S/2007/340	63	5e	Liberia	Working Group of Artisanal/Alluvial Production, and its West Africa regional subgroup	Liberia should become a member of the Working Group of Artisanal/Alluvial Production, and its West Africa regional sub-group.
S/2007/340	64			Analysis based on the additional data and digital photos	To strengthen further Liberia's system of internal controls, the Kimberley Process Expert Mission also recommended that careful analysis be carried out on the additional data and digital photographs provided by Liberia on its export shipments to develop, <i>inter alia</i> , a footprint of its exports.
S/2007/340	65	5e	Liberia	the production-capacity estimate provided by Liberia	Within three months of Liberia's admission to the Kimberley Process, Kimberley experts should examine the production-capacity estimate provided by Liberia, together with all other currently available sources of relevant information (historical, geological, industrial, etc.), to develop initial indicative parameters for the use of the Government of Liberia and the Kimberley Process when analyzing Liberia's production and trade statistics.
S/2007/340	66	5c, e	Liberia	monitoring and analyzing the production and trade data on both a national and a regional basis	The Kimberley Process should carry out careful monitoring and analysis of the production and trade data provided by Liberia and other West African participants and their trading partners, on both a national and a regional basis.
S/2007/340	67	5e	Liberia	required support for Kimberley Process implementation	The Kimberley Process community should consider the needs of Liberia in terms of, <i>inter alia</i> , capacity-building, equipment, training, and regional coordination in order to support Kimberley Process implementation.
S/2007/340	71	5d	NGOs	roles of health agencies and NGOs in averting a major epidemic	While the Government of Liberia currently lacks the capacity to deal with the situation, and UNMIL lacks a firm mandate to intervene, the Panel recommends that health agencies and non-governmental organizations act now to avert a major epidemic.

**COMPREHENSIVE CHARTS: PANEL RECOMMENDATIONS FOR SANCTIONS IMPLEMENTATION IN LIBERIA**

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S/2007/340	138	5e			Liberia's county administration authorities	Urgent attention must be paid to the county administration authorities, the gatekeepers of Liberia's natural wealth, through the quick creation of enabling conditions to attract civil servants, as well as small-, medium- and large-scale investments, especially in the agricultural sector.
S/2007/340	139	5e		Government of Liberia	a transparent relationship between the Government and the communities.	The Liberian leadership must continue to demonstrate its commitment to fostering a transparent relationship between the Government, the mining and logging companies and the communities.
S/2007/340	181	5e		Government of Liberia, USAID	Liberian Law Reports Inc.	The Panel recommends that an electronic version of the work carried out by Liberian Law Reports Inc., under contract with the United States Government be supplied to the Government of Liberia for the benefit of the nation, in keeping with policy of the United States Agency for International Development on copyright authorization.
S/2007/340	119a	5e		General Auditing Office	adequate infrastructure and qualified manpower	The General Auditing Office should be provided with adequate infrastructure and qualified manpower. The International Organization of Supreme Audit Institutions may be requested to provide additional qualified manpower for the initial three to five years.
S/2007/340	119b	5e		Auditor General	prosecute misconduct	The new Auditor General should audit the annual accounts of all important ministries and departments and major revenue-generating parastatals since October 2003. Those found guilty of misconduct should be prosecuted.
S/2007/340	119c	5e		General Auditing Office	Effective pre-shipment inspection of petroleum imports	The payment of import duties and sales tax by petroleum and rice importers should be audited by the General Auditing Office and a report submitted within three months. Effective pre-shipment inspection of petroleum imports should begin immediately. The Ministry of Finance needs to work with LPRC to ensure that each importer's arrears are paid before it can take any more petroleum products from LPRC tanks.
S/2007/340	119d	5d		LISCR, LLC, LTC	restore government revenues	LISCR, LLC and LTC should be audited, and austerity measures introduced in order to restore government revenues to the levels of 1997 to 2000.
S/2007/340	119e	5e		National Transitional Government	investigation of all donations and contributions	All donations and contributions made by State-owned enterprises to National Transitional Government of Liberia and Government of Liberia functionaries should be investigated to see that they have been used appropriately.
S/2007/340	119f			GEMAP	submit a monthly financial status report	All GEMAP financial controllers should attend the Board meetings of their respective State-owned enterprises and submit a monthly status report on those enterprises to the Minister of Finance.
S/2007/340	119g	5d		Panel of Experts, IMF	recommendations of the Panel of Experts as	IMF should include the recommendations of the Panel of Experts as benchmarks in its annual staff-monitored programs.

S/2007/689	62	4e		Government of Liberia		benchmarks	<p>The Government of Liberia has made significant progress during the first six months of its participation in the Kimberley Process. It must continue to work diligently to ensure that its internal controls are comprehensively and effectively implemented. Moreover, the Government needs to ensure that it strikes the right balance between providing service to its clients and implementing its law and internal controls.</p> <p>While there is no confirmed case of diamond smuggling into Liberia, the Government of Liberia should be vigilant that Ivorian diamonds do not pass through its porous borders and enter its legitimate trade. There is a need for heightened sensitivity to potential shifts in trade flows.</p> <p>Given that there has been considerable time, money and effort put into the recruitment and training of various staff members, the Panel urges the Government of Liberia to resolve as quickly as possible the budget issue. The Ministry of Lands, Mines and Energy also needs to ensure that it takes the necessary steps to make certain that a replacement independent valuer is hired before the current USAID-funded valuer's term expires in late December.</p> <p>Given that there are significant numbers of unlicensed miners, there are potentially large numbers of diamonds ineligible for vouchers. The Government's participation in the Kimberley Process Working Group on Artisanal Alluvial Production is a good first step towards developing a strategy to address this problem. The Ministry of Lands, Mines and Energy also needs to resolve the issue of how to deal with diamonds found in gold-mining claims. They should examine potential options, including having one class C license for general mineral extraction.</p> <p>The Government and UNMIL must ensure that the remaining Regional Diamond Offices are in place and operational in the near future. The Government should also continue to engage different stakeholders within Liberia to understand the rules and engage in the process. These efforts should include both education and awareness-building not only with other ministries and agencies but also with the public and the mining sector.</p> <p>In accordance with the Kimberley Process expert mission recommendation, the Panel strongly encourages Liberia to invite a Kimberley Process review visit within a year of full participation in and implementation of the Kimberley Process Certification Scheme.</p> <p>The Panel urges the Kimberley Process community to consider the needs of Liberia in terms of, <i>inter alia</i>, capacity-building, equipment, training, and regional coordination in order to support Kimberley Process implementation in Liberia. To this end, Liberia needs to develop a list of priority funding areas, as it agreed to do at the friends of Liberia meeting in Brussels.</p> <p>The Panel urges the Kimberley Process to undertake any outstanding recommendations from its own expert mission of March 2007, including conducting an analysis of regional production and export figures.</p>
S/2007/689	63	4e		Government of Liberia		prevent Ivorian diamonds from being smuggled through Liberian borders	
S/2007/689	64	2e,6		Government of Liberia		resolve the budget issue	
S/2007/689	65	2d,2e		Government of Liberia		license for general mineral extraction	
S/2007/689	66	2e,6		Government of Liberia, UNMIL		education and awareness-building	
S/2007/689	67	2d		Kimberley Process		invite a Kimberley Process review visit	
S/2007/689	68	2d		Kimberley Process		develop a list of priority funding areas	
S/2007/689	69	2d		Kimberley Process		apply recommendations from its own expert mission of March 2007	
S/2007/689	70	4e		Government of Liberia		strong leadership and ownership	<p>Liberia's progress in implementation will require strong leadership and ownership by relevant stakeholders, especially the Ministry of Lands, Mines, and Energy, as well as the effective ongoing management of human, financial and material resources. The Government of Liberia must ensure that it has the political will to implement its own internal controls and guard its hard-won success and progress.</p>

### COMPREHENSIVE CHARTS: PANEL RECOMMENDATIONS FOR SANCTIONS IMPLEMENTATION IN LIBERIA

Report	Para.	Cat.	See Also	Actor(s)	Translation	Language: 1=Embargo and Sanctions 2=Accountability 3=Panel Mandate 4=State Capacity 5=Role of Various Actors (a=UN; b=regional actors; c=Third Party States; d=Third Party non-States; e=Target State)
S/2007/689	100	4e		Government of Liberia	planning and management of resources	While FDA continues to move forward in the right direction, progress is sometimes slow. Planning and management of resources remain significant challenges. The lack of planning and of logistical capability, as well as inadequate funding, all have an impact upon the ability of the Authority to design and implement programs to carry out the various components of its mandated responsibilities.
S/2007/689	101	4e		Government of Liberia	plans and assiduous tasks preparing	FDA must strive to plan and prepare its tasks more assiduously. It has many important tasks to undertake if the forest resources of Liberia are to be managed in a sustainable manner for the benefit of the Liberian population in the decades to come. Balancing immediate expectations for economic activity and development goals with environmental and longer development will not be easy.
S/2007/689	102	4e		Government of Liberia	a review of travel expense procedures	FDA must also ensure that it practices responsible fiscal management and makes the best use of its existing resources. For example, the Panel recommends a review of travel expense procedures to check against any abuse.
S/2007/689	103	4e		Government of Liberia	forest lands and for wildlife conservation and protection	FDA must ensure that it fulfills the requirements to develop the draft legislation for governing community rights with respect to forest lands and for wildlife conservation and protection.
S/2007/689	104	4e		Government of Liberia	the Forestry Reform Law and long-term goals	FDA must ensure that it implements the Forestry Reform Law and regulations during this crucial phase of recommencing commercial logging. The Government has invested heavily in the reform process and should not sacrifice long-term goals for short-term gains.
S/2007/689	162	1a		Government of Liberia	review the status of past exceptions to the arms embargo and inventories of weapons transferred to Liberia	The Panel recommends that the Sanctions Committee carefully review the status of past exceptions to the arms embargo and inventories of weapons already transferred to Liberia before approving further transfers of military material to Liberian security services.
S/2007/689	163	1a		UNSC, UNMIL, SACO	letters of exception granted by the Committee	The Panel also recommends that future letters of exception granted by the Committee request exception-holding States or parties to notify the Committee, directly or through UNMIL, of the date, point of entry and quantities of equipment contained in each shipment delivered to authorized recipients in Liberia as part of the exception. The Panel further recommends that the Committee request the Government of Liberia and/or UNMIL to systematically inspect approved shipments at their point of entry and provide inspection reports to the Committee to facilitate the monitoring of exceptions.
S/2007/689	164	1e		Government of Liberia	comprehensive inspection of all military equipment provided under the exceptions at the LNP and SSS armories	Moreover, the Panel recommends that during its next inspection of weapons and ammunition at the LNP and SSS armories, the Firearm Inspection Team also carry out a comprehensive inventory of all other military equipment provided under the exceptions, including riot control material.

S/2007/689	165	1	UNSC, SACO	use of standards for the marking of all weapons	There are international and regional efforts for standardizing the marking of weapons, such as the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons. The Panel recommends that the Security Council, in any future modifications to its Liberia arms sanctions, request the use of these standards that the Sanctions Committee, in any future exceptions, request the use of these standards and that the Government of Liberia, as a matter of good practice, consider using these standards for the marking of all weapons.
S/2007/689	166	6	UNMIL	the enhancement of the capacity of UNMIL and other partners	Lastly, the Panel recommends the enhancement of the capacity of UNMIL and other partners to deal with explosive ordnance disposal.
S/2008/371	194	4, 5e	Liberia Ministry of Justice	fast-tracking the necessary amendments	The Ministry of Justice should urgently resolve the uncertainty surrounding the status of its firearms-control policy and legislation by fast-tracking the necessary amendments to existing legislation.
S/2008/371	195	1, 4	Government of Liberia/SSS	mark on the firearms received from China and the United States of America	The Government of Liberia, particularly its SSS, should urgently make the necessary arrangements to mark the firearms received from China and the United States of America, and formally notify the sanctions Committee that these steps have been taken in accordance with Security Council Resolution 1683 (2006).
S/2008/371	196	1	Sanctions Committee	a standardized marking system for all weapons and ammunition	Security Council Resolution 1683 (2006) requires the Government of Liberia to mark all weapons and ammunition received under exemptions from the arms embargo. The sanctions Committee should clearly stipulate the manner in which arms and ammunition are to be marked, as no standardized approach is currently employed in Liberia. The marking of weapons and ammunition boxes or cases is possible with unsophisticated equipment. However, it is possible to permanently mark ammunition post-assembly only by means of a laser marking process (technology developed by Companhia Brasileira de Cartuchos, a Brazilian ammunition manufacturer). The practical and cost-effective recommendation is that all ammunition transferred to the Government of Liberia under exemptions from the embargo should be appropriately marked during the manufacturing stage; and in the case of donated ammunition, it should have markings that can easily be identified as Liberia-specific.
S/2008/371	197	1, 5c	United States	periodical inspection of the arms, ammunition and equipment transferred to Liberia	The United States Embassy in Monrovia should permit the UNMIL Firearm Inspection Team to periodically inspect the arms, ammunition and equipment that have been transferred to Liberia under exemptions from the arms embargo (in order to comply with Security Council Resolution 1683 (2006)).
S/2008/371	198	1, 5c	Member States	exemptions should be notified both to the sanctions Committee and UNMIL	Member States granted exemptions from the arms embargo should, in accordance with Security Council Resolution 1792 (2007), duly notify both the sanctions Committee and UNMIL of the arrival date, point of entry and mode of transport of future deliveries of items under exemptions to the arms embargo.
S/2008/371	199	4, 5e	Government of Liberia/LNP and SSS	firearm carries should be appropriately trained and vetted	The Government of Liberia, particularly LNP and SSS, must ensure that those officers that are required to carry firearms are appropriately trained and vetted.

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S/2008/371	200	4		Government of Liberia/ LNP and BIN	improved training for border control officials	Border control officials, especially LNP and BIN representatives, should be provided with improved training, as well as resources, such as transport and communications equipment, to enable them to provide more effective border monitoring and protection.
S/2008/371	201	4, 5e		Government of Liberia/Bureau of Immigration and Naturalization	the safe storage of the passenger ledgers at Roberts International Airport	BIN, as a matter of urgency, should provide for the safe storage of the passenger ledgers at Roberts International Airport.
S/2008/371	202	4, 5e		Government of Liberia/Bureau of Immigration and Naturalization	the necessary quality-control processes at Roberts International Airport	BIN, as a matter of urgency, should introduce the necessary quality-control processes at Roberts International Airport with respect to the recording of passenger data.
S/2008/371	203	5c		Member States	complete and up-to-date information (including photographs) of all individuals on the travel ban list	Member States should provide the sanctions Committee with complete and up-to-date information (including photographs) of all individuals on the travel ban list.
S/2008/371	204	4, 5e		Government of Liberia	strategy for presenting and distributing the list	The Government of Liberia should design and implement a strategy of presenting and distributing the list throughout Liberia that would contribute to the more effective implementation of the travel ban.
S/2008/371	205	1		UNSC, SACO	review of the UNSC assets freeze list	The assets freeze mandate in Liberia is achievable, as is a multi-country search and freeze of assets. To ensure success, it is the Panel's opinion that a review of the Security Council assets freeze list must be undertaken and the names modified, with more emphasis placed on the parties related to Charles Taylor and the inclusion of individuals that have served or are serving as alter egos for him, or have been unjustly enriched. A complete revision of the business listed is also warranted so that the list will be more reflective of companies that received moneys.
S/2008/371	206	4		technical experts	need of a strong team of technical experts assisting Liberia	It is the Panel's opinion that with a strong team of technical experts assisting Liberia, the asset identification process and subsequent freezing can be improved.

S/2008/371	207	4	Government of Liberia/Ministry of Lands, Mines, and Energy	no tolerance for exceptions to or inconsistent application of the Law	The Minister of Lands, Mines, and Energy must ensure that all staff members are aware of the importance of the Kimberley Process system and Liberian law. There should be no tolerance for exceptions to or inconsistent application of the Law.
S/2008/371	208	4	Government Diamond Office	more comprehensive operating procedures	The Government Diamond Office must develop more comprehensive operating procedures to ensure that all staff members understand their role and responsibilities within the system and to ensure that the system of internal controls is followed. These procedures can assist in addressing the issue of discretionary decision-making that threatens the integrity of the system.
S/2008/371	209	4	Government of Liberia/Ministry of Lands, Mines, and Energy	re-evaluation of the location and functioning of the Regional Diamond Offices	The Ministry of Lands, Mines, and Energy should re-evaluate the location and functioning of the Regional Diamond Offices and determine whether to build in the locations where containers cannot be placed, as it is important to have an appropriate presence across the country. This step should include the establishment of an office for the Sinoe mining area.
S/2008/371	210	4	Government of Liberia/Ministry of Lands, Mines, and Energy	re-evaluation of the role of the regional officers and their place within the broader Ministry structure	The Ministry should re-evaluate the role of the regional officers and their place within the broader Ministry structure. The regional officers are often underutilized and could be more proactive in sensitization and awareness-raising work. They could also be more effectively integrated within the broader structure of the Ministry and work more effectively with other employees, such as mining agents, inspectors, and patrolmen.
S/2008/371	211	4	Government of Liberia/Ministry of Lands, Mines, and Energy	collaboration between the Bureau of Mines, the Liberian Geological Survey and the Government Diamond Office	The Ministry should also ensure that there is close collaboration and harmonization between the Bureau of Mines, the Liberian Geological Survey, and the Government Diamond Office.
S/2008/371	212	4	Government of Liberia/Ministry of Lands, Mines, and Energy	government's role in negotiations for diamond valuation	Given the Ministry's use of an independent diamond valuator to assess the value of rough diamonds, it is essential that the Government of Liberia conclude its negotiations for the contract.
S/2008/371	213	4	Government of Liberia/Ministry of Lands, Mines, and Energy	re-channel existing buying networks	As it will likely take time and effort to re-channel existing buying networks into the new system, the Ministry should undertake more sensitization activities in an effort to inform miners and brokers of the benefits of participating in the scheme — and the risks of doing otherwise. Brokers and dealers can be important partners if they make it clear they will buy only legal stones and finance only miners who hold licenses.
S/2008/371	214	4	Government of Liberia/Ministry of Lands, Mines, and Energy	tackle illicit mining activities and diamonds being smuggled to other countries	Deterrence is the other part of the equation — enforcement efforts are needed to tackle illicit mining activities and diamonds being smuggled to other countries. The Ministry needs to collaborate more closely with other relevant Government ministries (for example, the Anti-Smuggling Unit in the Ministry of Finance), LNP, and United Nations police to increase law enforcement efforts in mining areas and at border crossings. Toward this end, more targeted activities to raise awareness and increase the capacity of both LNP and border officials are warranted. This training is especially important in the areas bordering Côte d'Ivoire where diamonds are still subject to United Nations sanctions and cross-border smuggling of diamonds would prove problematic for Liberia's Kimberley Process system.

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S/2008/371	215	4, 5b		Government of Liberia	harmonization issues	The Government of Liberia should engage the other countries in the region to address harmonization issues. This can be done through various forums, including the Mano River Union, the Kimberley Process Working Group on Artisanal Alluvial Production and the "Diamonds for development" program in partnership with the UNDP.
S/2008/371	216	4		Government of Liberia	requesting another Kimberley Process review visit	The Government of Liberia should request another Kimberley Process review visit within the next year given the significant challenges it faces in implementation.
S/2008/371	217	5c		Donor Countries	donors' support for the Government of Liberia for the Kimberley Process implementation	Donors should continue to support the Government of Liberia through funding and technical assistance to ensure that the progress of Liberia in implementation of the Kimberley Process system continues and improves.
S/2008/371	218	5d		Kimberley Process and relevant working groups	handling problematic and suspicious shipments	The Kimberley Process and relevant Working Groups should undertake internal discussions on how best to handle problematic or suspicious shipments, such as those made without certificates.
S/2008/371	219	4		Government of Liberia	recommendation regarding debarment of logging companies	The Government should make a decision about the outstanding recommendation of the third-phase Forest Concession Review Committee and the pre-qualification panel regarding debarment of logging companies.
S/2008/371	220	4		Forest Development Authority	FDA staff's knowledge of the National Forestry Reform Law and the FDA regulations	FDA management must ensure that its staff understand the content of the National Forestry Reform Law and implement it and the FDA regulations appropriately.
S/2008/371	221	4		Forest Development Authority	conducting adequate due diligence	FDA should ensure that it conducts adequate due diligence and that bidding companies follow appropriate application protocols and not provide inaccurate information on capital and equipment.
S/2008/371	222	4		Forest Development Authority	FDA's obtaining legal opinions	FDA should obtain legal opinions on key issues prior to pursuing a certain route. It should also explore developing a working relationship with the Ministry of Justice through which assistance to the FDA legal counsel could be provided.
S/2008/371	223	4		Forest Development Authority	expansion of FDA's enforcement capacity	FDA should consider expanding its enforcement capacity. As commercial logging operations begin, FDA needs to ensure that it has the resources to monitor those activities.
S/2008/371	224	4		Forest Development	minimizing the	FDA must ensure that it works collaboratively with communities to ensure that the potential



S/2008/371	225	4			Authority	potential for land tenure disputes	for land tenure disputes is minimized.
					Liberia Forest Initiative	implementation of the new legal framework	The Liberia Forest Initiative should establish benchmarks against which it can evaluate the willingness and capacity of FDA to implement the new legal framework to help it determine where funding needs may be required.
S/2008/371	226	5c			Donor Countries	management training as a priority area for funding	Donors should identify management training as a priority area for funding.
S/2008/371	227	5c			Donor Countries	the FDA core enforcement capacity	Donors should identify the FDA core enforcement capacity as an area that needs to be encouraged, supported, and funded, as it is a fundamental component of implementation.

**SUMMARY CHARTS: PANEL RECOMMENDATIONS AND SANCTIONS IMPLEMENTATION IN LIBERIA**

Panel Recommendation	Panel Reports Listing Recommendation	Actor(s)	Security Council Resolution Implementing Recommendation	Security Council Resolution Content	UN/Member State Additional Response	Date of Response
<b>Travel Ban and Civil Aviation</b>						
<b>Travel Ban</b>						
Travel ban establishment	S/2000/1195, para. 48 (on Sierra Leone)	UNSC	1343 (2001)	Travel ban established		
Travel ban renewal (implied because violations continue and humanitarian and diplomatic exceptions exist)	S/2001/1015 S/2002/470 S/2002/1115 S/2003/937, para. 10.a S/2004/955, para. 71.	UNSC	1408 (2002) 1478(2003) 1521(2003) 1579 (2004) 1647 (2005) 1731 (2006) 1792 (2007) 1819 (2008) 1864 (2008)	Travel ban renewed, measures expire 20 December 2009		
Establish a travel ban webpage	S/2001/1015, para. 62	UNSC	1343 (2001) 1532 (2004)		The UN has travel ban web pages, see <a href="http://www.un.org/Docs/sc/committees/Liberia3Template.htm">http://www.un.org/Docs/sc/committees/Liberia3Template.htm</a>	
Compile effective databases with names, contact information, and photos of individuals on travel ban list	S/2001/1015, para. 63 S/2008/371, para. 203	UNSC Member states	1343 (2001)		The UN list contains a database with names and contact information but no photographs. The French government also has a website with the same information as the UN, <a href="http://www.minefi.gouv.fr/directions_services/dgtp/sanctions/liberia/pc2006_31.pdf">http://www.minefi.gouv.fr/directions_services/dgtp/sanctions/liberia/pc2006_31.pdf</a> .	
Reduce number of individuals on travel ban list to only key offenders and officials	S/2001/1015, para. 64 S/2002/470, para. 13	UNSC				
Prevent LURD and other armed rebel groups from traveling		Member states	1478 (2003) 1521 (2003)	Resolutions mention LURD specifically		

Review the Liberian passport system to improve travel ban effectiveness	S/2005/745 (summary)					
Improve storage and maintenance of passenger ledgers	S/2008/371, para. 201-202	Liberia				
Improve distribution of travel ban list	S/2008/371, para. 204	Liberia				
<b>Civil Aviation</b>						
Ground all Liberian registered aircraft until Liberia updates register according to International Civil Aviation Convention	S/2000/1195, para. 32 (on Sierra Leone)	UNSC	1343 (2001)			
Liberia has taken adequate measures and therefore should be able to open a registry	S/2001/1015, para. 6 S/2002/470, para. 5					
Registry is still inactive and some planes still operating on old tags. activate registry and register aircraft	S/2002/1115, para. 10, 109 S/2003/498, para. 10	UNSC	1343 (2001)	Registry is still inactive		
Help Liberia improve compliance on International Civil Aviation Convention	S/2003/937, para. 10f.	UNSC	1521 (2003)			

<b>Assets Freeze</b>						
Assets freeze implementation for arms embargo violators	S/2003/497, para. 10	UNSC	1532 (2004) 1579 (2004)	Arms embargo violators included in asset freeze list		
Assets freeze implementation for Charles Taylor and others on the sanctions list	S/2003/937, para. 10d  S/2005/745, paras. 134, 135	Govt of Liberia, Member States	1532 (2004)  1607 (2005) 1647(2005)  1731 (2006)  1792 (2007)	Assets freeze will be reviewed annually  Renews assets freeze through 20 December 2006 Renews assets freeze through 20 December 2007 Renews assets freeze through 20 June 2008		

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Panel Recommendation	Panel Reports Listing Recommendation	Actor(s)	Security Council Resolution Implementing Recommendation	Security Council Resolution Content	UN/Member State Additional Response	Date of Response
Assets Freeze website			<p><b>1819 (2008)</b></p> <p><b>1864 (2008)</b></p> <p><b>1532 (2004)</b></p>	<p>Renews assets freeze through 20 December 2008</p> <p>Renews assets freeze through 20 June 2009</p>	<p>UN has an assets freeze website. Also, French government has a website (among others probably) <a href="http://www.un.org/Docs/sc/committees/Liberia3Template.htm">http://www.un.org/Docs/sc/committees/Liberia3Template.htm</a></p>	
Liberia must completely implement assets freeze	<p>S/2004/955, paras. 6, 173</p> <p>S/2005/360 Table 12.</p> <p>S/2005/745 Table 10</p> <p>S/2006/379 Table 5,6</p>	Govt of Liberia	<p><b>1579 (2004)</b></p> <p><b>1607 (2005)</b></p> <p><b>1647 (2005)</b></p> <p><b>1731 (2006)</b></p>		<p>Panel notes US, UK, and Germany have partially implemented asset freeze</p> <p>Panel notes US, UK, Germany, Lebanon, and France have implemented asset freeze</p> <p>Panel notes France, Germany, Ghana, US, and UK have implemented freeze</p> <p>Liberia has yet to freeze any assets though it has identified bank accounts of named individuals.</p> <p>Ghana, Lebanon, France, UK, Germany, US, Syrian Arab Republic have frozen assets.</p> <p>Liberia has yet to freeze any assets though it has identified bank accounts of named individuals.</p>	
Pass legislation or executive order to implement the assets freeze	<p>S/2006/976, para. 159</p> <p>S/2007/340, para. 120-124</p> <p>S/2008/371, para. 206</p> <p>S/2006/976, para. 148</p>		<p><b>1792 (2007)</b></p> <p><b>1819 (2008)</b></p>			
Review assets freeze list	S/2008/371, para. 205					



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Panel Recommendation	Panel Reports Listing Recommendation	Actor(s)	Security Council Resolution Implementing Recommendation	Security Council Resolution Content	UN/Member State Additional Response	Date of Response
Future letters of exception the SACO grants should mandate exception-holding States or parties to notify the Committee, directly or through UNMIL, of the date, point of entry, and quantities of equipment contained in each shipment delivered. The Committee should request Liberia and/or UNMIL to systematically inspect approved shipments at their point of entry and provide inspection reports to the Committee.	S/2007/689, para. 163.	SACO, UNSC				
ECOWAS members should enter into binding agreements on small weapons management and establish a webpage detailing the types of weapons acquired by ECOWAS states.	S/2000/1195, para. 260 (on Sierra Leone)	UN, ECOWAS states				
Use the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms, and Light Weapons as a standard for granting future exceptions.	S/2007/689, para. 165					
Track arms flow after entering Liberia with end-user certificates and systematic marking system.	S/2001/1015, paras. 26, 27, 307, 308 S/2002/1115, paras. 8, 9, 101, 104 S/2003/498, para. 10 S/2008/371, paras. 195, 196	UN Member States, ECOWAS, Govt of Liberia, SACO				
Importance of Universal compliance especially in Mano River Union	S/2001/1015, paras. 24, 305 S/2002/470, paras. 4, 67, 70, 71, 72 S/2002/1115, paras. 8, 100	UNSC, Member states, Mano River Union Countries	<b>1408 (2002)</b>			
Finalize legislation and policy relating to	S/2008/371, para.	Govt of				

firearms control.	194	Liberia			
Better comply with Sanctions Committee and UNMIL inspections teams.	S/2008/371, paras. 197, 198	Govt of Liberia			
Better train and educate Liberian security forces in handling arms and enforcing border controls.	S/2008/371, paras. 199, 200	Govt of Liberia			

Illicit Diamonds Trade					
Diamonds embargo implementation	S/2000/1195, para. 157 (on Sierra Leone)	UNSC	1343 (2001)		
Diamonds embargo renewal	S/2003/937, paras. 10a, 10e, 142 S/2004/955, paras. 71, 110 S/2005/745, para. 58	UNSC	1408 (2002) 1478 (2003) 1521 (2003) 1579 (2004) 1607 (2005) 1647 (2005) 1689 (2006) 1731 (2006)	Renews measures through 20 December 2007	
Temporarily lifts diamond embargo pending adoption of the Kimberley Process			1753 (2007)		Diamonds embargo terminated by 1753 (2007); Liberia formally admitted to Kimberley Process Certification Scheme
Implement more costly consequences for illicit sale of diamonds	S/2001/1015, para. 46	Member States	1521 (2003) 1547 (2005)		
International community should provide Mali technical assistance in joining Kimberley process so it does not become next smuggling route	S/2005/745, para. 55				
Comprehensive inquiry into Liberia's diamonds trade to assess best practices	S/2003/937, para. 144	UN (implied), independent verification commission	1647 (2005)		
Enforce mining embargo on Jungle Waters mine	S/2006/976, para. 29	Govt of Liberia			Considerable expansion since S/2006/976 but no visible pumps and no evidence of mining and gravel washing (S/2007/340, para. 72)

**SUMMARY CHARTS: PANEL RECOMMENDATIONS AND SANCTIONS IMPLEMENTATION IN LIBERIA**

Panel Recommendation	Panel Reports Listing Recommendation	Actor(s)	Security Council Resolution Implementing Recommendation	Security Council Resolution Content	UN/Member State Additional Response	Date of Response
<b>Assistance towards Participation in the Kimberley Process</b>						
Publish statistics on diamond imports/exports	S/2001/1015, para. 49	Liberian Govt, Int'l Community				
Create credible certification regime--eventually join Kimberley process in order to lift sanctions--International community should provide technical assistance and funding. Liberia should ensure all regional offices are fully operational.	S/2001/1015, paras. 47, 48 S/2002/470, paras. 9, 136, 137 S/2002/1115, para. 157 S/2003/937, paras. 10e, 142-143 S/2004/396, paras. 94, 95, 96, 152c S/2004/955, paras. 110-111 S/2005/745, para.57	Liberian Govt, UN member states especially in region	<b>1343 (2001)</b>  <b>1408 (2002)</b>  <b>1478 (2003)</b> <b>1521 (2003)</b> <b>1549 (2004)</b> <b>1579 (2004)</b> <b>1607 (2005)</b> <b>1647 (2005)</b>		Regional offices have been created by the diamond ministry, a certificate that complies with Kimberley requirements has been created. Liberia has joined the Kimberley Process and Kimberley Process monitors work with the Panel to ensure continued implementation. As of September 2008, regional offices are not fully operational due to lack of resources, unpaid wages.	
Continue progress toward membership in the Kimberley Process	S/2007/689, para.66 S/2006/976, paras. 36, 37	Liberian Govt especially Ministry of Lands, Mines, and Energy			Liberia formally admitted to Kimberley Process as of May 4, 2007	
Build capacity and train officials whose work relates to Kimberley Process implementation and enforcing the law equally	S/2007/340, para. 59 S/2008/371, para. 207-208	Govt Diamond Office				
Invite review visit within one year of full participation in and implementation of	S/2007/340, para. 60 S/2007/689, para. 67	Kimberley Process			The Kimberley Process visited Liberia in late April-early May 2008	



Kimberley Process Scheme	S/2008/371, para. 216								
Arrange for external, independent diamond valuations	S/2006/976, para. 51 S/2008/371, para. 212	Liberian World Diamond Council						USAID funded and hired this position see S/2007/689, para. 64 but funding expired in May 2008.	
<b>Recommendations for the Kimberley Process</b>									
Analyze data and photos provided by Liberia on its export shipments to develop a footprint of its exports	S/2007/340, para. 64	Kimberley Process							
Examine the production-capacity estimate provided by Liberia to develop parameters for use by Government of Liberia and Kimberley Process when analyzing Liberia's production and trade statistics	S/2007/340, para. 65	Kimberley Process, Govt of Liberia							
Monitor and analyze production and trade data provided by Liberia and other West African participants and their trading partners	S/2007/340, para. 66	Kimberley Process							
Apply any outstanding recommendations from its own expert mission of March 2007, including conducting an analysis of regional production and export figures	S/2007/689, para. 69.								
Consider the needs of Liberia in terms of capacity-building, etc. in order to support Kimberley Process implementation	S/2007/340, para. 67 S/2007/689, para. 68.	Kimberley Process							
<b>Recommendations for the Liberian Government Regarding Diamond Management</b>									
The Ministry of Lands, Mines and Energy needs to hire a replacement independent valuer before the current USAID-funded valuer's term expires in late December.	S/2007/689, para. 64	Ministry of Lands, Mines, and Energy							
Government should properly resource the diamond management portion of the ministry.	S/2007/689, para. 64	Liberian Govt							
Alert relevant officials to potential for increased cross-border movement and diamond activity in border areas due to lifted sanctions	S/2007/340, para. 61	Ministry of Lands, Mines, and Energy							

## SUMMARY CHARTS: PANEL RECOMMENDATIONS AND SANCTIONS IMPLEMENTATION IN LIBERIA

Panel Recommendation	Panel Reports Listing Recommendation	Actor(s)	Security Council Resolution Implementing Recommendation	Security Council Resolution Content	UN/Member State Additional Response	Date of Response
Liberia should be vigilant that Ivorian diamonds do not pass through its porous borders and enter its legitimate trade. There is a need for heightened sensitivity to potential shifts in trade flows.	S/2007/689, para. 63	Ministry of Lands, Mines, and Energy				
Exclude non-Liberian diamond-trading companies from incorporating through the LISCR	S/2007/340, para. 62	Kimberley Process, LISCR				
Become a member of the Kimberley Process Working Group of Artisanal/Alluvial Production and regional subgroup	S/2007/340, para. 63	Liberia, Kimberley Process			Liberia joined the Working Group, see S/2007/689	
The Ministry of Lands, Mines and Energy should determine how to deal with diamonds found in gold-mining claims. Examine options, including having one license for general mineral extraction.	S/2007/340, para.65	Ministry of Lands, Mines, and Energy				
Liberia should continue to work to ensure that its internal controls are comprehensively and effectively implemented. Liberia should ensure balances providing service to its clients and implementing its law and internal controls.	S/2007/689, para. 62 S/2008/371, paras. 207-208, 211, 214	Ministry of Lands, Mines, and Energy, other relevant Agencies				
Work with regional actors to address harmonization issues	S/2008/371, para. 215	Govt of Liberia				
Provide technical support and funding to Government of Liberia	S/2008/371, para. 217	Donor Countries				
Evaluate location and staffing of Regional Diamond Offices so they may be more effective.	S/2008/372, para. 209-210	Govt Diamond Office				
Sensitize miners and brokers to the benefits of participation in the Kimberley	S/2008/371, para. 213	Govt of Liberia				

Process, and consequences of non-participation									
Undertake internal discussions on how best to handle suspicious shipments	S/2008/371, para. 218								
Act now to stop spread of mining in Sinoe County to avert major health crisis	S/2007/340, para. 71	Health agencies, NGOs							
<b>Illicit Timber Trade</b>									
Consider temporary (6 month) timber embargo	S/2000/1195, para. 95 (on Sierra Leone)	UNSC							
Timber embargo implementation starting in July 2002	S/2001/1015, paras. 350, 40	UNSC	<b>1478 (2003)</b>						
Timber embargo renewal	S/2003/779, para. 71; S/2003/937, para. 10a	UNSC	<b>1521 (2003)</b>	Measures expired 21 June 2006.					
	S/2004/955, para. 71		<b>1579 (2004)</b>	S/RES/1689 (2006)					
			<b>1647 (2005)</b>						
			<b>1689 (2006)</b>		UNSC will review sanctions in 90 days and will reinstate timber sanctions unless FMRC passes forestry legislation			Embargo lifted when necessary legislation passed in September 2006.	
Allows for temporary (90 day) lifting of embargo									
Increase supervision of ports, key shipping routes	S/2003/779, para. 79 S/2003/779, para. 17 (includes civil society monitoring) S/2003/779, para. 78 (UN to assist Nat'l Port Authority) S/2003/937, para. 10b S/2004/396, para. 116	UN, Liberian Govt	<b>1521 (2003)</b>						

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Panel Recommendation	Panel Reports Listing Recommendation	Actor(s)	Security Council Resolution Implementing Recommendation	Security Council Resolution Content	UN/Member State Additional Response	Date of Response
Involve civil society in monitoring illicit timber sales	S/2003/779, paras. 17, 79, 81	UN, Liberian Govt, Liberian citizenry			Liberia passed Executive Order No. 1, creating the Forest Reform Monitoring Committee, placing an internationally-recruited financial controller in the FDA, as requested by GEMAP. Also establishes a mechanism for civil society to monitor the forestry sector; and drafted new laws and regulations S/RES/1689 (2006)	
Investigate socioeconomic impact of timber embargo	S/2003/937, para. 174.	Panel	<b>1478 (2003)</b>	Asks Panels to do this in the future.	S/2004/936 (Panel reports do this in future) S/2004/955 S/2005/360 S/2005/745 S/2006/379	
FDA should accept the offer of UNMIL to provide joint patrols to establish control over pit-sawing	S/2006/976, para. 64	FDA, UNMIL			Offer accepted, UNMIL conducting joint patrols with UNMIL.	
International community should sign a voluntary partnership agreement with Liberia to ensure legal timber trade	S/2006/976, para. 69	Liberian Govt, Int'l Community				
<b>Timber Sector Reforms</b>						
Publish annual reports on timber production per Liberian Law	S/2003/779 Box 2	FDA			LF/GEMAP	
Timber escrow account to be audited and its funds used for development projects	S/2001/1015, paras. 59, 444	UNSC, IMF	<b>1521 (2003)</b> <b>1408 (2002)</b> <b>1532 (2004)</b>		LF/GEMAP	
Appoint FDA Board of Directors	S/2004/396 table 2 S/2004/752 S/2004/955 table 4 S/2005/745 table 4	Govt of Liberia, FDA			Yes Yes Yes Yes--however, the Board violates law (includes individuals with direct conflicts of interest). Moreover, the Board has failed completely in	

	S/2006/379 table 2				its fiduciary responsibility. Yes	
Structure Management, adequately compensate staff and provide logistics	S/2004/396 table 2 S/2004/752 S/2004/955 table 4 S/2005/745 table 4 S/2006/379	Govt of Liberia, FDA			staff not paid since February 2004 S/2004/752 S/2004/955 table 4 staff not paid since April Staff salaries are approximately five months in arrears, but the FDA is awaiting confirmation from the audit. Field offices are idle (S/2006/379)	
Train field technicians and middle-level staff at a later date	S/2004/396 table 2 S/2004/752 S/2005/745 table 4 S/2006/379	Govt of Liberia, FDA			No No No Training under way: 164 enforcement officers, 26 chain of custody staff, 12 inventory staff and the administration and accounting staff are being trained (S/2006/379)	
Request technical assistance for forest and financial management	S/2004/396 table 2 S/2004/752 S/2004/752 S/2005/745 table 4 S/2006/379	Govt of Liberia, FDA			Yes, LFI since 2004 Yes, LFI since 2004 Yes, LFI since 2004 Yes Yes	
Commission an audit of the FDA	S/2004/396 table 2 S/2004/752  S/2004/955 table 4	Govt of Liberia, FDA			No Voscon pre-audit revealed a lack of financial management; EU cancelled planned audit; Managing Director agreed to allow independent financial control system No financial audit has been done. Voscon pre-audit revealed poor financial management. The European Commission is completing a financial review.	

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	S/2005/745 table 4				No financial audit has been done. A pre-audit and European Commission financial review revealed poor management. The Initiative recently hired PriceWaterhouseCoopers to assist FDA in achieving standard accounting practices, but FDA still cannot account for all revenues and expenditures	
	S/2006/379				PriceWaterhouse Coopers assisted the FDA in preparing the financial statements; the EC-funded audit is expected to be completed by July (S/2006/379)	
Fire those identified in the EC audit as corrupt unless they can show they were forced to fraud	S/2006/976, para. 67				People identified by EC audit have been fired (S/2007/340)	
Prosecute those identified in the EC audit, even though they no longer work for FDA	S/2007/340, para. 45	Ministry of Justice, FDA				
FDA must practice responsible fiscal management and make the best use of its existing resources. For example, it should review 2007 travel expense procedures to check against any abuse	S/2007/689, para. 102	FDA				
Establish a system for depositing all forestry revenues in accounts directed by the Ministry of Finance at the Central Bank of Liberia	S/2004/396 table 2 S/2004/752	Govt of Liberia, FDA			No (accounts set up for reforestation and conservation) Yes, all money to be paid to the Central Bank of Liberia. Yes, all money to be paid to the Central Bank of Liberia.	
	S/2004/955 table 4				Yes, but FDA is putting some revenue directly into petty cash rather than the Bank	
	S/2005/745 table 4				Yes, with GEMAP co-signatory (S/2006/379)	
	S/2006/379					
Establish a system of reporting and making information accessible to the public	S/2004/396 table 2 S/2004/752	Govt of Liberia, FDA			Managing Director has agreed to set up a web site with United States assistance Managing Director has agreed to set up a web site with the assistance of the Liberia Forest	

	S/2004/955 table 4 S/2005/745 table 4 S/2006/379				Initiative No No No, but draft laws and regulations provide for reporting but Conservation International set up FDA web access can use its website to provide information No No No No Board of Directors appointed (S/2006/379)	
Set up an independent oversight committee	S/2004/396 table 2 S/2004/752 S/2004/955 table 4 S/2005/745 table 4 S/2006/379	Govt of Liberia, FDA				
Recall and review all existing concession financial assistance agreements	S/2004/396 table 2  S/2004/752 S/2004/955 table 4 S/2005/745 table 4 S/2006/379	Govt of Liberia, FDA			Complete- demonstrated widespread non-compliance and multiple contracts granted to the same concession areas; also no contract met all the legal requirements to operate. Review recommended that each contract be cancelled. NTGL has not taken this step Phase 1 complete Phase 2 complete, phase 3 to begin soon  Complete. President Johnson-Sirleaf issued executive order No. 1 canceling all concessions No No	
Impose penalties on companies violating sanctions	S/2004/396 table 2 S/2004/752 S/2004/955 table 4 S/2005/745 table 4 S/2006/379	Govt of Liberia, FDA			Illegal logging is widespread with few penalties Pit sawing is widespread and unchecked in the field; however, fees and penalties are being imposed. No	
Train and deploy Sapo Park personnel, provide equipment and rebuild park infrastructure	S/2004/396 table 2	Govt of Liberia, FDA				

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Panel Recommendation	Panel Reports Listing Recommendation	Actor(s)	Security Council Resolution Implementing Recommendation	Security Council Resolution Content	UN/Member State Additional Response	Date of Response
Resumption of logging must follow regulations laid out in new legislation	S/2004/752				No, United Nations civilian police are training about 180 enforcement officers	
FDA implementation of National Forestry Reform Law must include the passage of a new law governing community rights, and the Government must establish a commission to tackle tenure and land-use issues	S/2004/955 table 4 S/2005/745 table 4 S/2006/379				No; United Nations civilian police trained 164 enforcement officers, and Fauna and Flora International has committed itself to rebuilding capacity Fauna and Flora International is providing per diems and support for guards; United Nations civilian police trained 164 enforcement officers Fauna and Flora International and Conservation International are providing per diem for guards; CIVPOL trained 164 enforcement officers; 45 of them have been deployed to Sapu and Nimba nature reserves, but the rest have not been fully deployed fully	
No contracts or concessions for loggers or logging companies with outstanding taxes and fees	S/2006/976, para. 63	FDA				
Review concessions and contracts awarded under the National Transition Government, remedy conflicts of interest	S/2006/976, para. 66 S/2007/340, para. 44 S/2007/689, para. 103, 104	Liberian Govt, FDA			As of S/2008/371, the law remains to be passed.	
Provide funding to train FDA staff, and ensure they have the legal understanding and resources to enforce the law	S/2006/976, para. 68 S/2007/340, para. 46	Liberian Govt, industry				
Evaluate current compliance with law, and consider recommendations for modification	S/2006/976, para. 16 S/2008/371, para. 220-223, 226-227 S/2008/371, para. 219, 225	Liberian Gov, Int'l Community Liberian Govt, donors Liberia				



Work with communities to minimize land tenure disputes	S/2008/371, para. 224	Liberian Gov, FDA			
<b>Improving Governance and Helping Liberia Meet Requirements for Lifting Sanctions</b>					
Reform under standards of good governance and ensure respect for human rights	S/2001/1015, para. 318 S/2003/779, paras. 17, 84, 89, 94, 96, 97, 98 S/2003/937, paras. 10g, 146 S/2004/396, paras. 87a, 119, 152a, 152d S/2004/955, paras. 52, 144 S/2005/745, paras. 79, 80, 189 (implement GEMAP), 121, 185 (lessen envt impact)	Liberian Govt, FDA, UN, int'l donors	1579 (2004)	1647 (2005)	The GEMAP process is helping Liberia achieve these objectives
Help Liberia establish credible auditing/verification regimes, and assist with managerial and financial oversight	S/2002/470, para. 9 S/2004/396, paras. 87a, 87b S/2005/745, para. 57	UN, IMF, Liberian Govt, Member States	1521 (2003) 1549 (2004) 1579 (2004) 1607 (2005)	GEMAP	GEMAP
Create external independent management structure for Liberia's mineral and natural resources	S/2005/360, paras. 119, 145	GEMAP, Ministry of Finance			
GEMAP financial controllers should attend Board meetings of state-owned enterprises and report on them monthly to Finance Minister	S/2007/340, para. 119f				
Increase international assistance to Liberia	S/2004/936 S/2004/955, para. 49				The World Bank committed US\$22.5 million towards the "Emergency rehabilitation and repair of critical infrastructure," including roads, bridges, and water supply for Monrovia. UNMIL and UNHCR also support the rehabilitation of strategic roads and bridges. Other United Nations agencies, NGOS and the ICRC support a wide range of projects Key donors to Liberia's recovery program are the EU Member states and USAID

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Be more vigilant in economic support for Liberia	S/2003/779, para. 17, 843 S/2004/955, para. 49, 50 S/2005/745, para. 185	UN, Int'l Community	1521 (2003) 1579 (2004) 1647 (2005)			
Get technical assistance for increasing marine awareness and control	S/2006/976, para. 55	Liberian Govt, Lloyd's of London				
Give Liberian government an electronic version of Liberian Law Reports Inc.'s work in keeping with policy of USAID on copyright authorization	S/2007/340, para. 181	Liberian Govt, USAID, US Govt				
IMF should include the recommendations of the Panel of Experts as benchmarks in its annual staff-monitored programs.	S/2007/340, para. 119g	Panels, IMF				
Provide adequate infrastructure and manpower to strengthen Office of the Auditor General	S/2006/976, para. 145 S/2007/340, para. 119a	Liberian Govt				
Audit all ministries, departments, and agencies annually, back to October 2003, with legal action against corrupt officials	S/2006/976, para. 147 S/2007/340, para. 119b					
Audit payment of import duties and taxes, by petroleum and rice importers in particular, within three months	S/2006/976, para. 147 S/2007/340, para. 119c					
Continue to pursue progress on financial transparency	S/2006/976, para. 146 S/2007/340, para. 139 (transparent relationship between	Liberian Govt				



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UNMIL mandate should be changed to include full executive authority for UNMIL to arrest those undermining peace	S/2004/955, paras. 13, 52		<b>1638 (2005)</b>	Changed to include Taylor arrest		
Mandate should include sanctions enforcement	S/2005/745, para. 36					
UNMIL mandate should include authority to investigate weapons violations and former combatant recruitment	S/2005/360, para. 96					
Enhance UNMIL and other partners' capacity to deal with explosive ordnance disposal.	S/2007/689, para. 166					
Cooperate in monitoring (through border monitoring) and implementing sanctions. Assist the NTGL with these tasks	S/2001/1015, para. 65, 66, 67 (specifically Côte d'Ivoire) S/2005/745, para. 146 (esp. with UN in Côte d'Ivoire)	UNMIL	<b>1521 (2003)</b> <b>1606 (2005)</b>	UNMIL to function in conjunction with Panels and to also fulfill its mandate separate from the Panels		
	S/2003/779, paras. 17, 80, 82		<b>1478 (2003)</b>			
	S/2003/937, paras. 10b, 155, 156, 190					
	S/2004/396, paras. 119, 120					
	S/2004/955, paras. 62, 71, 91, 173		<b>1579 (2004)</b>			
	S/2005/745, paras. 58, 134, 136		<b>1607 (2005)</b>	UNMIL should cooperate with other UN missions in the region to monitor arms trafficking and mercenary recruitment in		

<p>Continue to sensitize Liberians to nature of UN sanctions</p>	<p>S/2002/470, para. 173 S/2003/937, para. 10h S/2004/396, paras. 119, 152e</p>	<p>UNMIL</p>	<p><b>1521 (2003)</b></p>	<p>the region.</p>		
<p>Help Transitional Government with security in timber and diamond producing areas.</p>	<p>S/2004/955, para. 112 S/2005/360, para. 118 S/2005/745, para. 59</p>	<p>UNMIL</p>	<p><b>1607 (2005)</b></p>			

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