



## Security Council

Distr.: General  
27 May 2014

Original: English

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### **Security Council Committee established pursuant to resolution 2127 (2013) concerning the Central African Republic**

#### **Letter dated 14 May 2014 from the United States Mission to the United Nations addressed to the Chair of the Committee**

The United States Mission to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 2127 (2013) concerning the Central African Republic and has the honour to enclose the report of the United States of America on the implementation of the sanctions requested in Security Council resolution 2134 (2014) (see annex).



**Annex to the letter dated 14 May 2014 from the United States Mission to the United Nations addressed to the Chair of the Committee**

**Report of the United States of America on its implementation of Security Council resolutions 2127 (2013) and 2134 (2014)**

**Arms embargo**

The transfer or export of United States defence articles and defence services is controlled by the Arms Export Control Act. The Act is the governing statutory authority for Government-to-Government agreements (the foreign military sales system) and the licensing of direct commercial sales. The International Traffic in Arms Regulations implement the Act and regulate the licensing system for direct commercial sales. The Act and the Regulations serve as the basis for United States compliance with the arms embargo imposed on the Central African Republic by Security Council resolution 2127 (2013).

The United States munitions export control system is designed to deny access to defence equipment and technology of United States origin to adversaries and parties whose interests are inimical to those of the United States. The export control process is closely regulated and excludes the participation of parties that are embargoed by the United Nations or are otherwise ineligible.

The United States requires all United States persons that manufacture or export defence articles or furnish defence services, as well as United States and foreign persons engaged in arms brokering, to register with the United States Department of State. Once registered, any export of defence articles, furnishing of defence services or brokering thereof must be authorized through a licence or other authorization by the Department of State. Direct commercial sales are subject to end-use monitoring under the Arms Export Control Act as implemented by the Department of State's Blue Lantern programme. Arms export control violations, including provision of defence articles and technology to ineligible persons, are subject to strict penalties, both criminal (including a prison sentence of 20 years and/or a fine of \$1 million for each violation) and civil (debarment from participation in United States defence trade and monetary penalties of up to \$500,000 for each violation).

The United States Department of State published an amendment to the International Traffic in Arms Regulations (Federal Register, vol. 79, No. 74, p. 21616, effective 17 April 2014) to reflect and implement the provisions contained in paragraph 54 of resolution 2127 (2013).

As stated in the Federal Register notice containing that amendment:

*Central African Republic.* It is the policy of the United States to deny licenses or other approvals for exports or imports of defense articles and defense services destined for or originating in the Central African Republic, except that a license or other approval may be issued, on a case-by-case basis, for:

(1) Defense articles intended solely for the support of or use by the International Support Mission to the Central African Republic (MISCA); the UN Integrated Peacebuilding Office in the Central African Republic (BINUCA) and its guard unit, the African Union Regional Task Force (AU-RTF); and the

French forces and European Union operation deployed in the Central African Republic;

(2) Non-lethal military equipment, and related technical assistance and training, when intended solely for humanitarian and protective use, as approved in advance by the Committee of the Security Council concerning the Central African Republic;

(3) Personal protective gear temporarily exported to the Central African Republic by United Nations personnel, representatives of the media, and humanitarian and developmental workers and associated personnel, for their personal use only;

(4) Small arms and related equipment intended solely for use in international patrols providing security in the Sangha River Tri-national Protected Area to defend against poaching, smuggling of ivory and arms, and other activities contrary to the laws of the Central African Republic or its international legal obligations;

(5) Arms and related lethal military equipment for Central African Republic security forces, intended solely for support of or use in security sector reform, as approved in advance by the Committee of the Security Council concerning the Central African Republic; or

(6) Other sales or supply of arms and related materiel, or provision of assistance or personnel, as approved in advance by the Committee of the Security Council concerning the Central African Republic.

The United States intends to consider further implementing measures as may be appropriate, including in the light of paragraph 37 of Security Council resolution 2149 (2014).

#### **Travel ban**

Under the applicable provisions of United States law, including section 212 (f) of the Immigration and Nationality Act of 1952 (United States Code, title 8, sect. 1182 (f)), the United States has the authority necessary to prevent the entry into or transit through United States territories of individuals designated by the Security Council Committee established pursuant to resolution 2127 (2013) concerning the Central African Republic, provided that those individuals are not nationals of the United States. To the extent consistent with United States law, the United States may permit entry into or transit through its territory of such individuals in cases where the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligation, where entry or transit is necessary for the fulfilment of a judicial process, or where the Committee determines on a case-by-case basis that an exemption would further the objectives of peace and national reconciliation in the Central African Republic and stability in the region.

#### **Assets freeze**

Under the applicable provisions of United States law, including the International Emergency Economic Powers Act (United States Code, title 50, sect. 1701 ff.), the National Emergencies Act (United States Code, title 50, sect. 1601 ff.), section 5 of

the United Nations Participation Act of 1945, as amended (United States Code, title 22, sect. 287c), and section 301 of title 3 of the United States Code, the United States has the authority to take the measures necessary to implement an assets freeze imposed by Security Council resolution 2134 (2014).

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