



Security Council

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Letter dated 20 December 2019 from the Chair of the Security Council Committee established pursuant to resolution [1970 \(2011\)](#) concerning Libya addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution [1970 \(2011\)](#) concerning Libya, containing an account of the Committee's activities from 1 January to 31 December 2019. The report, which was approved by the Committee, is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 ([S/1995/234](#)).

I should be grateful if the present letter and the report were brought to the attention of the members of the Security Council and issued as a document of the Council.

(Signed) Juergen Schulz
Chair

Security Council Committee established pursuant to
resolution [1970 \(2011\)](#) concerning Libya



Report of the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya

I. Introduction

1. The present report of the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya covers the period from 1 January to 31 December 2019.
2. The Bureau of the Committee consisted of Juergen Schulz (Germany) as Chair and the representative of Belgium as Vice-Chair.

II. Background

3. By its resolution 1970 (2011), the Security Council established the Committee and imposed an embargo on arms and related materiel both to and from Libya, as well as a travel ban and an asset freeze on designated individuals and entities, and outlined exemptions to those measures. The Committee is tasked with, among other things, overseeing the implementation of the sanctions measures. By its resolution 1973 (2011), the Council established a panel of experts to assist the Committee in carrying out its mandate and imposed additional measures relating to Libya, including the authorization to protect civilians, the establishment of a no-fly zone and a ban on flights of Libyan aircraft, in addition to authorizing inspections, including on the high seas, in relation to the arms embargo. In both resolutions, the Council outlined criteria for designation under the travel ban and asset freeze measures and listed specific individuals and/or entities as subject to those measures. Subsequently, in its resolutions 2009 (2011), 2016 (2011), 2040 (2012) and 2095 (2013), the Council terminated or eased some of the measures and introduced further exemptions thereto, delisted two entities and terminated the authorization for inspections, including on the high seas.
4. By its resolution 2146 (2014), the Security Council decided to impose measures, such as prohibitions on loading, transporting or discharging crude oil, entering ports, bunkering services or other servicing, and financial transactions, in relation to designated vessels attempting to export crude oil illicitly from Libya. Exemptions to the measures were also included. Subsequently, in its resolution 2362 (2017), the Council decided to extend the measures, making them applicable to vessels loading, transporting or discharging petroleum, including crude oil and refined petroleum products, illicitly exported or being attempted to be exported from Libya. By its resolution 2174 (2014), the Council reinforced the arms embargo and expanded the designation criteria, which it further elaborated in its resolutions 2213 (2015), 2362 (2017) and 2441 (2018).
5. Provisions for Member States to inspect, in their territory, cargo to and from Libya and designated vessels on the high seas were included in the sanctions regime in the context of the enforcement of the arms embargo and of the measures aimed at preventing the illicit export of petroleum from Libya. By its resolution 2292 (2016), the Council also authorized, for 12 months, inspections on the high seas off the coast of Libya of vessels believed to be carrying arms or related materiel to or from Libya in violation of the arms embargo, provided that good-faith efforts were made to first obtain the consent of a vessel's flag State. Such authorization was renewed in resolutions 2357 (2017), 2420 (2018) and 2473 (2019) for additional, successive periods of 12 months. By its resolution 2441 (2018), the Security Council extended for a further 15 months the authorizations and measures set out in resolution 2146 (2014) and previously extended in resolution 2362 (2017).

6. The membership of the Panel of Experts on Libya initially consisted of eight experts, was then reduced to five experts under resolution [2040 \(2012\)](#) and was then again increased to six experts under resolution [2146 \(2014\)](#). The Panel's mandate was most recently renewed in resolution [2441 \(2018\)](#).

7. Further background information on the Libya sanctions regime can be found in the previous annual reports of the Committee.

III. Summary of the activities of the Committee

8. The Committee met seven times in informal consultations, on 8 February, 15 April, 31 May, 21 June, 12 September, 22 October and 25 November, and convened one formal meeting on 30 August, in addition to conducting its work through written procedures.

9. During the informal consultations held on 8 February, the Committee heard a presentation by the Panel of Experts on its programme of work, the mandate of which was renewed pursuant to resolution [2441 \(2018\)](#).

10. During the informal consultations held on 15 April, the Committee received a briefing by the Secretariat on the arrest and detention of a member of the Panel of Experts in Tunisia.

11. During the informal consultations held on 31 May, the Committee received a briefing by the Deputy Special Representative of the Secretary-General (Political), United Nations Support Mission in Libya, on issues related to the work of the Committee, mainly regarding alleged transfers of arms and related materiel to Libya since 4 April 2019. Thereafter, the Committee heard a presentation by the Panel of Experts on its interim report, which was submitted to the Committee on 2 May, in accordance with paragraph 15 of resolution [2441 \(2018\)](#), as well as on information subsequently gathered by the Panel. Committee members discussed the recommendations contained in the interim report.

12. During the informal consultations on 21 June, held jointly with the Security Council Committee established pursuant to resolution [1591 \(2005\)](#) concerning the Sudan and the Security Council Committee established pursuant to resolution [2206 \(2015\)](#) concerning South Sudan, Committee members discussed the presence of Darfuri armed groups in Libya and South Sudan, as well as a common approach to addressing the issue. The three relevant panels of experts also participated and briefed the Committees.

13. At its third formal meeting, on 30 August, the Committee held a discussion with representatives to the United Nations of Algeria, Bahrain, Chad, Cyprus, Egypt, Greece, Italy, Jordan, Lebanon, Libya, Mali, Malta, Morocco, the Niger, Oman, Qatar, Saudi Arabia, the Sudan, the Syrian Arab Republic, Tunisia, Turkey and the United Arab Emirates on the implementation of the sanctions measures. The Panel of Experts briefed the participants about the different sanctions measures, in particular about the arms embargo.

14. During the informal consultations held on 12 September, the Committee heard a presentation by the Head of the Libyan Investment Authority, a listed entity. A representative of Libya, as well as the Panel of Experts, participated in the consultations.

15. During the informal consultations held on 22 October, the Committee received briefings by the Deputy Special Representative of the Secretary-General (Political) and the Panel of Experts, on the implementation of the arms embargo and reported violations thereof.

16. During the informal consultations held on 25 November, the Committee heard a presentation by the Panel of Experts on its final report (S/2019/914), submitted to the Committee on 29 November, in accordance with paragraph 15 of resolution [2441 \(2018\)](#), and discussed the recommendations contained therein. Committee members also discussed their working methods.

17. Following the above-mentioned informal consultations and the formal meeting, and in accordance with paragraph 104 of the annex to the note by the President of the Security Council (S/2017/507), the Committee issued press releases containing brief summaries of the meetings.

18. On 18 January, 20 March, 21 May, 29 July and 4 September, the Chair of the Committee briefed the Security Council on the activities of the Committee, pursuant to paragraph 24 (e) of resolution [1970 \(2011\)](#) (see [S/PV.8448](#), [S/PV.8488](#), [S/PV.8530](#), [S/PV.8588](#) and [S/PV.8611](#)). In the briefing on 20 March, the Chair recalled his intention to work towards organizing a visit of the Committee to all agreed areas of Libya, as mentioned in the annual report of the Committee for 2018, as soon as possible, subject to logistical and security arrangements.

19. The Committee received five implementation reports from five Member States and three inspection reports from a regional organization. The Committee responded to six requests for guidance relating to the arms embargo, the travel ban and the asset freeze.

20. The Committee sent 76 communications to 31 Member States and other stakeholders with reference to the implementation of the sanctions measures.

IV. Exemptions

21. Exemptions to the arms embargo are contained in paragraph 8 of resolution [2174 \(2014\)](#), which supersedes the exemption contained in paragraph 13 (a) of resolution [2009 \(2011\)](#), as modified by paragraph 10 of resolution [2095 \(2013\)](#); paragraph 13 (b) of resolution [2009 \(2011\)](#); and paragraph 9 (c) of resolution [1970 \(2011\)](#).

22. Exemptions to the asset freeze are contained in paragraphs 19 to 21 of resolution [1970 \(2011\)](#) and paragraph 16 of resolution [2009 \(2011\)](#).

23. Exemptions to the travel ban are contained in paragraph 16 of resolution [1970 \(2011\)](#).

24. Exemptions to the measures in relation to attempts to illicitly export petroleum, including crude oil and refined petroleum products, from Libya are contained in paragraphs 10 (c) and 12 of resolution [2146 \(2014\)](#).

25. The Committee approved one arms embargo exemption request invoking paragraph 9 (c) of resolution [1970 \(2011\)](#). No negative decision was taken by the Committee in connection with two arms embargo notifications invoking paragraph 13 (b) of resolution [2009 \(2011\)](#). The Committee also received five arms embargo requests citing paragraph 8 of resolution [2174 \(2014\)](#). The Committee concluded that two of them did not require the submission of a request because the items and services in question fell under the exception to the arms embargo contained in paragraph 10 of resolution [2095 \(2013\)](#), provided that all of the conditions of the exception were met. The three remaining requests remained under consideration.

26. The Committee approved one asset freeze exemption request further to paragraph 19 (b) of resolution [1970 \(2011\)](#). No negative decision was taken by the Committee in connection with five asset freeze notifications citing paragraph 19 (a) of resolution [1970 \(2011\)](#). The Committee approved four travel ban exemption

requests invoking paragraph 16 (a) of resolution [1970 \(2011\)](#). A fifth request was withdrawn by the petitioner prior to the conclusion of the Committee's consideration of the matter.

V. Sanctions list

27. The criteria for the designation of individuals and entities as subject to the travel ban and asset freeze are set out in paragraph 22 of resolution [1970 \(2011\)](#), paragraph 23 of resolution [1973 \(2011\)](#), paragraph 11 of resolution [2146 \(2014\)](#), paragraph 4 of resolution [2174 \(2014\)](#), paragraph 11 of resolution [2213 \(2015\)](#), paragraph 11 of resolution [2362 \(2017\)](#) and paragraph 11 of resolution [2441 \(2018\)](#). The procedures for requesting listing and delisting are described in the Committee's guidelines for the conduct of its work.

28. As at the end of the reporting period, there were 28 individuals and two entities on the sanctions list of the Committee.

VI. Panel of Experts

29. On 2 January, following the adoption by the Security Council of resolution [2441 \(2018\)](#), the Secretary-General appointed six individuals to serve on the Panel with expertise in arms (two experts), finance, armed groups, armed groups/regional matters and maritime/transport matters (see [S/2019/5](#)). The mandate of the Panel expires on 15 February 2020.

30. On 2 May, in accordance with paragraph 15 of resolution [2441 \(2018\)](#), the Panel of Experts provided its interim report to the Committee, which was transmitted to the Security Council on 12 June.

31. On 29 October, in accordance with paragraph 15 of resolution [2441 \(2018\)](#), the Panel of Experts provided its final report to the Committee (S/2019/914), which was transmitted to the Security Council on 29 November and issued as a document of the Security Council.

32. The Panel conducted visits to Belgium, Chad, Egypt, France, Germany, Italy, Jordan, Malta, the Netherlands, Spain, Switzerland, Tunisia, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America. In Libya, members of the Panel undertook visits to Tripoli and Zawiyah.

33. In pursuance of its mandate, the Panel, through the Secretariat, sent 478 letters to 126 Member States, the Security Council, the Committee, international and national entities and individuals.

34. Between 27 March and 31 October, the Secretariat transmitted eight communications to the Committee with information on the arrest and detention, release and ongoing legal proceedings against a member of the Panel of Experts and seven notes verbales to the Member State concerned. An oral briefing was also provided to the Committee on 15 April.

VII. Secretariat administrative and substantive support

35. The Security Council Affairs Division provided substantive and procedural support to the Chair and the members of the Committee. Advisory support was also provided to Member States to promote understanding of the sanctions regime and facilitate the implementation of the sanctions measures. Induction briefings were also

provided to incoming members of the Council to familiarize them with the specific issues relevant to the sanctions regime.

36. To support the Committee in its recruitment of well-qualified experts to serve on sanctions monitoring groups, teams and panels, a note verbale was sent to all Member States on 18 December to request the nomination of qualified candidates for membership of the roster of experts. In addition, a note verbale was sent to all Member States on 15 November notifying them of upcoming vacancies on the Panel of Experts and providing information on recruitment timelines, areas of expertise and pertinent requirements. On 14 November, vacancy announcements were also made available online at careers.un.org.

37. The Division continued to provide support to the Panel of Experts, conducting an induction for newly appointed members and assisting in the preparation of the Panel's interim report, submitted to the Committee in May, and its final report, submitted to the Committee in November. The Secretariat convened a two-day inter-panel workshop, at which 60 experts representing 10 sanctions panels were invited to share experiences and good practices and to discuss issues of common interest. The Secretariat also organized an investigative techniques workshop, which was focused on investigative methods and tools for panel experts.

38. The Secretariat continued to update and maintain the Consolidated United Nations Security Council Sanctions List and the committee-specific sanctions lists in the six official languages and the three technical formats. Furthermore, the Secretariat implemented improvements concerning the effective utilization of and access to sanctions lists, as well as further developing, in all official languages the data model approved in 2011 by the Committee pursuant to resolutions [1267 \(1999\)](#), [1989 \(2011\)](#) and [2253 \(2015\)](#) concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities, as requested by the Council in paragraph 54 of resolution [2368 \(2017\)](#).

39. Pursuant to paragraph 2 of resolution 2420 (2018), the Secretary-General submitted his report on the implementation of the resolution <https://undocs.org/en/S/RES/2420> (2018), concerning the authorizations related to the inspection of vessels on the high seas off the coast of Libya in order to ensure better implementation of the arms embargo, on 10 May 2019 ([S/2019/380](#)).