



# Security Council

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## Letter dated 15 December 2021 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 2021. 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) T. S. Tirumurti  
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

[Original: English]

## 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 2021.
2. The Bureau of the Committee consisted of T. S. Tirumurti (India) as Chair and a representative of Ireland as Vice-Chair.

## II. Background

3. By its resolution 1970 (2011), the Security Council established the Committee and imposed an embargo on transfers of 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 Security 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), 2473 (2019), 2526 (2020) and 2578 (2021) for additional, successive periods of 12 months. By its resolution 2571 (2021),

the Council extended for a further 15 months the authorizations and measures set out in resolution [2146 \(2014\)](#) and previously extended in resolutions [2213 \(2015\)](#), [2278 \(2016\)](#), [2362 \(2017\)](#), [2441 \(2018\)](#) and [2509 \(2020\)](#) and as modified in resolution [2509 \(2020\)](#).

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 extended in resolution [2571 \(2021\)](#).

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 three times in informal consultations, on 25 June and 1 and 16 December, in addition to conducting its work through written procedures.

9. In the light of the challenges posed to the Committee's usual procedures by the coronavirus disease (COVID-19) pandemic, including the limitations on holding in-person meetings, and in order to ensure the continuity of its work, the members of the Committee agreed, on an exceptional basis, to hold virtual meetings in the form of closed videoconferences, on 5 March and 10 May.

10. During the closed videoconference held on 5 March, the Committee heard a presentation by the Panel of Experts on its final report ([S/2021/229](#), [S/2021/229/Corr.1](#) and [S/2021/229/Corr.2](#)), submitted to the Committee on 18 February, in accordance with paragraph 12 of resolution [2509 \(2020\)](#), and discussed the recommendations contained therein.

11. During the closed videoconference held on 10 May, the Committee held a discussion with representatives to the United Nations of Algeria, Chad, Cyprus, Egypt, Greece, Italy, Jordan, Libya, Mali, Malta, Morocco, Oman, Qatar, Saudi Arabia, the Sudan, the Syrian Arab Republic, Turkey, the United Arab Emirates, the African Union, the League of Arab States and the European Union on the implementation of the measures imposed by the Security Council in relation to Libya. The Panel of Experts gave a briefing to the participants about the implementation of the sanctions measures.

12. During the informal consultations held on 25 June, the Committee heard a presentation by the Panel of Experts on its programme of work pursuant to resolution [2571 \(2021\)](#).

13. During the informal consultations held on 1 December, the Committee heard a presentation by the Panel of Experts on its interim report, submitted in accordance with paragraph 13 of resolution [2571 \(2021\)](#), and discussed the recommendation contained therein.

14. During the informal consultations held on 16 December, the Committee held a discussion with representatives of the Libyan Investment Authority (LYe.001) and the Permanent Representative of Libya to the United Nations.

15. 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 held on 25 June and 1 December.

16. On 21 May, 10 September and 24 November, the Security Council heard a briefing by the Chair of the Committee on the activities of the Committee, pursuant to paragraph 24 (e) of resolution [1970 \(2011\)](#) (see [S/2021/498](#), [S/PV.8855](#) and

S/PV.8912). In such briefings held in 2019 and 2020, the Chair recalled his intention to work towards organizing a visit of the Committee to all agreed areas of Libya as soon as possible, subject to logistical and security arrangements.

17. The Committee received eight implementation reports from eight Member States and 15 inspection reports from a regional organization.

18. The Committee sent 91 communications to 36 Member States and other stakeholders with reference to the implementation of the sanctions measures.

#### **IV. Exemptions**

19. 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).

20. Exemptions to the asset freeze are contained in paragraphs 19 to 21 of resolution 1970 (2011) and paragraph 16 of resolution 2009 (2011).

21. Exemptions to the travel ban are contained in paragraph 16 of resolution 1970 (2011).

22. 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).

23. The Committee approved one arms embargo exemption request invoking paragraph 9 (c) of resolution 1970 (2011).

24. No negative decision was taken by the Committee in connection with two asset freeze notifications citing paragraph 19 (a) of resolution 1970 (2011). In connection with two additional notifications invoking paragraph 19 (a), the Committee determined that neither of them met the scope of the provisions stipulated in the paragraph invoked. The Committee received one notification invoking paragraph 21 of resolution 1970 (2011). It also responded to another notification invoking that paragraph, indicating that the conditions stipulated therein were not met. The Committee approved one travel ban exemption request invoking paragraph 16 (a) of resolution 1970 (2011). The Committee also extended twice a previously approved travel ban exemption request invoking the same paragraph, to facilitate travel for humanitarian reasons for a duration of six months, to unlimited destinations, for three individuals currently inscribed on the sanctions list of the Committee.

#### **V. Sanctions list**

25. 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.

26. One entry was added to the list. As at the end of the reporting period, there were 29 individuals and two entities on the sanctions list of the Committee.

## VI. Panel of Experts

27. On 18 February, in accordance with paragraph 12 of resolution [2509 \(2020\)](#), the Panel of Experts provided its final report to the Committee ([S/2021/229](#), [S/2021/229/Corr.1](#) and [S/2021/229/Corr.2](#)), which was transmitted to the Security Council on 8 March and issued as document of the Council.

28. On 14 May, following the adoption by the Security Council of resolution [2571 \(2021\)](#) on 16 April, the Secretary-General appointed six individuals to serve on the Panel, with expertise in arms, arms/maritime matters, finance, armed groups, armed groups/international humanitarian law and regional/transport matters (see [S/2021/469](#)). The mandate of the Panel was extended until 15 August 2022.

29. On 22 November, in accordance with paragraph 13 of resolution [2571 \(2021\)](#), the Panel provided its interim report to the Committee, which was transmitted to the Security Council on 15 December.

30. The Panel conducted visits to France, Italy, Spain, Switzerland, Tunisia, Turkey and the United States of America. In Libya, members of the Panel undertook a visit to Benghazi and two visits to Tripoli.

31. In pursuance of its mandate, the Panel, through the Secretariat, sent 210 letters to 80 Member States, the Security Council, the Committee, international and national entities and individuals.

## VII. Secretariat administrative and substantive support

32. 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. To complement those briefings, from 3 to 6 December the Secretariat conducted a pilot issues-based training session on the design, implementation, monitoring, evaluation, adjustment and redesign of sanctions for incoming members of the Council.

33. The Division worked with the Department for General Assembly and Conference Management and the Office of Information and Communications Technology of the Department of Management Strategy, Policy and Compliance to facilitate the conduct of in-person meetings in line with relevant COVID-19 guidance and restrictions and continued to make virtual meetings available as an alternative option.

34. 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 2 December to request the nomination of qualified candidates for the roster of experts. In addition, a note verbale was sent to all Member States on 25 January notifying them of upcoming vacancies on the Panel of Experts and providing information on recruitment timelines, areas of expertise and pertinent requirements. On 22 January, vacancy announcements were also made available online at [careers.un.org](https://careers.un.org).

35. The Division continued to provide support to the Panel of Experts, assisting in the preparation of the Panel's final report, submitted to the Committee in February, and its interim report, submitted to the Committee in December. The Secretariat facilitated travel by Panel members to meet with Member States and other

stakeholders, taking into account World Health Organization guidelines, national travel advisories and other COVID-19-related requirements. The Secretariat organized a workshop on incidents of intimidation and reprisals associated with United Nations cooperation, held on 1 December. In addition, the Secretariat organized training sessions for experts on the use of databases provided through the Dag Hammarskjöld Library, to facilitate their monitoring and reporting work.

36. The Secretariat continued to update and maintain the United Nations Security Council Consolidated 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 the 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 \(2017\)](#). In December, the Secretariat held informal meetings with relevant stakeholders to present the structure of the new data model for both the Consolidated List and committee-specific sanctions lists before the official roll-out of the new model.

37. The Secretary-General submitted his report on the implementation of resolution [2526 \(2020\)](#), pursuant to paragraph 2 of that resolution, on 5 May 2021 ([S/2021/434](#)). The report contained information concerning the authorization for the inspection of vessels on the high seas off the coast of Libya in order to ensure better implementation of the arms embargo.

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