



Security Council

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Security Council Committee established pursuant to resolution 1970 (2011) concerning the Libyan Arab Jamahiriya

Note verbale dated 26 May 2011 from the Permanent Mission of Serbia to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Republic of Serbia to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1970 (2011) concerning the Libyan Arab Jamahiriya and has the honour to forward herewith the report of the Government of the Republic of Serbia on measures taken to implement Security Council resolutions 1970 (2011) and 1973 (2011).



Annex to the note verbale dated 26 May 2011 from the Permanent Mission of Serbia to the United Nations addressed to the Chair of the Committee

Report of the Government of the Republic of Serbia: measures taken to implement Security Council resolutions 1970 (2011) and 1973 (2011)

Proceeding from its international obligations and internal laws (the Law on Foreign Trade in Weapons, Military Equipment and Dual-Use Goods, *Official Gazette of Serbia and Montenegro*, Nos. 7/05 and 8/05-corrigendum, and by-laws, fully incorporating the relevant criteria from the European Union Code of Conduct on Arms Exports; the Law on the Transport of Dangerous Cargo, *Official Journal of the Republic of Serbia* No. 88/10; the Law on Trade in Explosive Materials, *Official Gazette of the Socialist Federal Republic of Yugoslavia*, Nos. 30/85, 6/89 and 53/91, and *Official Gazette of the Federal Republic of Yugoslavia*, Nos. 24/94, 28/96 and 68/02; the Law on the Protection of the State Border, *Official Journal of the Republic of Serbia*, No. 97/08; the Law on Protection against Ionizing Radiation and on Nuclear Security, *Official Journal of the Republic of Serbia*, No. 36/09; the Law on Air Transport, *Official Journal of the Republic of Serbia*, No. 73/10; the Law on Inland Waters Navigation, *Official Journal of the Socialist Republic of Serbia*, No. 54/90, and *Official Journal of the Republic of Serbia*, Nos. 53/93, 67/93, 48/94 and 101/05; the Law on International Road Transportation, *Official Gazette of the Federal Republic of Yugoslavia*, Nos. 60/98, 5/99, 44/99, 74/99 and 4/00, and *Official Journal of the Republic of Serbia*, Nos. 101/05 and 18/10; the Law on Foreigners, *Official Journal of the Republic of Serbia*, No. 97/08; the Law on Foreign Trade Transactions, *Official Journal of the Republic of Serbia*, No. 36/09; the Law on Geological Prospecting, *Official Journal of the Republic of Serbia*, No. 44/95; the Law on Mining, *Official Journal of the Republic of Serbia*, Nos. 44/95, 34/06 and 104/09; the Law on the National Bank of Serbia, *Official Journal of the Republic of Serbia*, Nos. 72/03, 55/04 and 4/10; the Law on Banks, *Official Journal of the Republic of Serbia*, No. 107/05; the Law on Foreign Currency Transactions, *Official Journal of the Republic of Serbia*, No. 62/06; the Law on Payment Transactions, *Official Journal of the Republic of Serbia*, Nos. 3/02, 5/03, 43/04 and 62/06; the Law on the Production of and Trade in Weapons and Military Equipment, *Official Gazette of the Federal Republic of Yugoslavia*, No. 41/96, and *Official Journal of the Republic of Serbia*, No. 85/05; the Law on Tariffs, *Official Journal of the Republic of Serbia*, Nos. 73/03, 61/05, 85/05 and 62/06; and the Law on Weapons and Ammunition, *Official Journal of the Republic of Serbia*, Nos. 9/92, 53/93, 67/93, 48/94, 44/98, 39/03, 85/05 and 101/05), the Republic of Serbia has taken the following measures to implement paragraphs 9, 10, 15 and 17 of Security Council resolution 1970 (2011) and paragraphs 13, 16, 17, 18, 19, 21 and 25 of Security Council resolution 1973 (2011):

Arms embargo

- Prevents the direct or indirect supply, sale or transfer to the Libyan Arab Jamahiriya, from or through its territory or by its nationals or using its flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and

spare parts for the aforementioned, and technical, financial or other assistance and training, related to military activities or the maintenance or use of any arms and related materiel;

- Takes preventive measures through the timely collection of operational and intelligence data to prevent and punish attempts at violating these bans;
- Prevents the provision of armed mercenary personnel to the Libyan Arab Jamahiriya whether or not originating from its territory;
- Takes preventive measures through the collection of relevant operational and intelligence data and information on the intention, preparation and conduct of activities to organize possible dispatches of its nationals, groups or individuals, or persons from its neighbourhood to the Libyan Arab Jamahiriya to take part in armed conflicts in that country;
- Prohibits the procurement of weapons and related materiel from the Libyan Arab Jamahiriya by its nationals or using its flag vessels or aircraft whether or not originating in the territory of the Libyan Arab Jamahiriya;
- Inspects all cargo in its territory, including airports and vessels and aircraft related to departures to or arrivals from the Libyan Arab Jamahiriya, if it has information that provides reasonable grounds to believe that the cargo contains items the supply, sale, transfer or export of which is prohibited by paragraphs 9 or 10 of Security Council resolution 1970 (2011), including the provision of armed mercenary personnel, and will allow inspections of its flag vessels and aircraft carried out by the organs of another United Nations Member State;
- In 2011, the Ministry of the Economy and Regional Development of the Republic of Serbia, charged with the implementation of the Law on Foreign Trade in Weapons, Military Equipment and Dual-Use Goods, issued no permit for the export to and import of controlled goods from the Libyan Arab Jamahiriya. Three such permits were issued in 2010; one of them was acted upon in full, whereas the other two were rescinded following the adoption of Security Council resolution 1970 (2011);
- The Government of the Republic of Serbia suspended a Conclusion providing for an indeterminate, free-of-charge cession to the Ministry of Defence of the Libyan Arab Jamahiriya of special-purpose vehicles (seven types of unassembled T-55s and two types of ammunition for them);
- The Emergency Situations Sector of the Ministry of Internal Affairs of the Republic of Serbia strengthened control of the issuance of transportation permits for the crossing of the State border of the Republic of Serbia, both for the import and export of weapons and military equipment, arms and ammunition and for their transit, aimed at preventing shipments of this type of goods to the Libyan Arab Jamahiriya;

Travel ban

- Prevents the entry into or transit through its territory of individuals listed in annex I to Security Council resolution 1970 (2011) or designated by the Committee established pursuant to paragraph 24 of this resolution;

- Denies permission to any aircraft registered in the Libyan Arab Jamahiriya or owned or operated by Libyan nationals or companies to take off from, land in or overfly its territory unless approved in advance by the Committee or in the case of an emergency landing;
- Denies permission to any aircraft to take off from, land in or overfly its territory if it has information that provides reasonable grounds to believe that the aircraft contains items the supply, sale, transfer or export of which is prohibited by paragraphs 9 and 10 of Security Council resolution 1970 (2011), including the provision of armed mercenary personnel, except in the case of an emergency landing;
- The Ministry of Internal Affairs of the Republic of Serbia advised all police departments, border police regional centres, border police stations and the On-Duty Operations Centre of the Security Information Agency that individuals listed in annex I to Security Council resolution 1970 (2011) and in annex I to Security Council resolution 1973 (2011) had been entered into the Operations Journal and the Register of Foreigners under “Entry Forbidden”, valid until revocation;

Asset freeze

- The National Bank of Serbia advised all banks of the obligations under Security Council resolutions 1970 (2011) and 1973 (2011), instructed them to implement these obligations strictly, and carries out regular control of relevant activities;
- The National Bank of Serbia has no data on the accounts of the individuals listed in annex II to Security Council resolution 1970 (2011) and annex II to Security Council resolution 1973 (2011) and the individuals controlled by them. The National Bank of Serbia and authorized banks in Serbia hold no regular foreign-currency accounts in the banks in the Libyan Arab Jamahiriya for transactions abroad;
- Freezes all funds, other financial assets and economic resources which are on its territory and which are owned or controlled, directly or indirectly, by the individuals or entities listed in annex II to Security Council resolution 1970 (2011) and annex II to Security Council resolution 1973 (2011) or designated by the Committee, or by the representatives of the Libyan authorities designated by the Committee, or by the individuals or entities acting on their behalf or at their direction, or by entities owned or controlled by them;
- Ensures that any funds, financial assets or economic resources are prevented from being made available by its nationals or by any individuals or entities within its territory, to or for the benefit of the individuals or entities listed in annex II to Security Council resolution 1970 (2011) or individuals designated by the Committee, or the representatives of the Libyan authorities designated by the Committee;
- Monitors (authorized) information received through the Society for Worldwide Interbank Financial Telecommunication (SWIFT) on personnel changes and authorized signatories in the Central Bank of Libya to check the authenticity of the signatories of information received through regular mail;

- Requires its nationals, persons subject to its jurisdiction and firms incorporated in its territory or subject to its jurisdiction to exercise vigilance when doing business with entities incorporated in the Libyan Arab Jamahiriya or subject to its jurisdiction and any individuals or entities acting on their behalf or at their direction, and entities owned or controlled by them;
- Fully cooperates with the Committee and will report regularly to it on the implementation of measures introduced under Security Council resolutions 1970 (2011) and 1973 (2011) and, in particular, on any attempt at violating or on any violation of the said measures;
- In 2010, the National Bank of Serbia adopted, under the Law on Foreign Currency Transactions, four decisions enabling Serbian entities to deposit funds on bank accounts in the Libyan Arab Jamahiriya the validity of which has not yet expired. One decision relates to the financing of investment works and the other three to the payment of running expenses of Serbia's representative offices abroad;
- Under three of the four decisions, the Serbian entities have been enabled to deposit funds with the banks in the Libyan Arab Jamahiriya which are not designated as subjects on which the asset freeze provided by annex II to Security Council resolution 1970 (2011) and annex II to Security Council resolution 1973 (2011) is imposed;
- Under one decision, an entity has been enabled to deposit funds with the Libyan Arab Foreign Bank on which the asset freeze is imposed, so that proceedings have been instituted to rescind the decision;
- In 2011, no decision has been taken enabling Serbian entities to deposit funds on bank accounts in the Libyan Arab Jamahiriya.
