



Security Council

Distr.: General
30 December 2016

Original: English

Letter dated 19 December 2016 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 2016. 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) Ramlan Bin Ibrahim
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 2016.
2. The Bureau of the Committee consisted of Ramlan Bin Ibrahim (Malaysia) as Chair and the representative of Spain as Vice-Chair.

II. Background

3. By its resolution 1970 (2011), the Security Council established the Committee and imposed a two-way arms embargo on 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. By its resolution 2174 (2014), the Council reinforced the arms embargo and, by the same resolution and resolution 2213 (2015), introduced additional criteria for designation. 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 crude oil 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.
5. 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 then

again increased to six experts under resolution [2146 \(2014\)](#). The Panel's mandate was extended most recently in resolution [2278 \(2016\)](#).

6. 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

7. The Committee met three times in informal consultations, on 3 March, 3 June and 20 October, in addition to conducting its work through written procedures. The Committee also met once in joint informal consultations, on 3 June, with the Security Council 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.

8. During the informal consultations held on 3 March, the Committee heard a presentation by the Panel of Experts on its final report, submitted in accordance with paragraph 24 (d) of resolution [2213 \(2015\)](#), and discussed the recommendations contained therein.

9. During the informal consultations held on 3 June, the Committee heard a presentation by the Panel of Experts on its activities since the presentation of its previous final report and on its work programme.

10. During the joint informal consultations with the Security Council 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, also held on 3 June and convened in follow-up to recommendation 24, made in the final report of the Panel of Experts ([S/2016/209](#)), the Committee heard briefings by the Panel and by the Analytical Support and Sanctions Monitoring Team.

11. During the informal consultations held on 20 October, the Committee heard a presentation by the Coordinator of the Panel of Experts on the Panel's interim report, submitted in accordance with paragraph 13 of resolution [2278 \(2016\)](#), and discussed the recommendations contained therein.

12. Following the informal consultations held on 20 October, and in accordance with paragraph 1 (c) of the note by the President of the Security Council on the work of the subsidiary organs of the Security Council ([S/2016/170](#)), the Committee issued a press release containing a brief summary of the informal consultations.

13. On 2 March, 6 June, 13 September and 6 December, 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.7640](#), [S/PV.7706](#), [S/PV.7769](#) and [S/PV.7827](#)).

14. The Committee received an implementation report from a Member State and an inspection report from a regional organization. The Committee responded to two requests for guidance relating to the asset freeze, two requests for guidance relating to the arms embargo and one request relating to the implementation of resolution [2292 \(2016\)](#).

15. The Committee provided additional guidance to all Member States by issuing, and updating, an implementation assistance notice on the travel ban on 7 January and 15 December, respectively, as well as by updating an implementation assistance notice in relation to the arms embargo on 18 August. On 15 November, the Committee sent two notes verbales to all Member States, one recirculating an implementation assistance notice in relation to the arms embargo and the other relating to funding for the International Criminal Court of its investigations into serious human rights violations and violations of international humanitarian law in Libya since 15 February 2011.

16. The Committee sent 39 communications to 11 Member States and other stakeholders with reference to the implementation of the sanctions measures.

IV. Exemptions

17. 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 \(2011\)](#).

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

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

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

21. The Committee received an arms embargo notification invoking paragraph 13 (b) of resolution [2009 \(2011\)](#), on which no negative decision was taken, but the Committee requested post-delivery confirmation of each transfer. Furthermore, the Committee received two arms embargo exemption requests invoking paragraph 9 (c) of resolution [1970 \(2011\)](#); it objected to one and approved the other. The Committee received two asset freeze notifications invoking paragraph 19 (a) of resolution [1970 \(2011\)](#), on one of which it took no negative decision, while the other was withdrawn. The Committee also received two asset freeze notifications invoking paragraph 19 (b) of resolution [1970 \(2011\)](#). The Committee approved one, while the other remained under consideration as at the end of the reporting period. The Committee twice approved an extension to a previously granted travel ban exemption request invoking paragraph 16 (a) of resolution [1970 \(2011\)](#).

V. Sanctions list

22. 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 \(2014\)](#) and paragraph 11 of resolution [2213 \(2015\)](#).

The procedures for requesting listing and delisting are described in the Committee's guidelines for the conduct of its work.

23. The Committee listed a vessel attempting to illicitly export crude oil from Libya on 27 April and delisted it on 12 May. The Committee approved amendments to existing entries on its sanctions list on 1 April and 11 November.

24. As at the end of the reporting period, there were 20 individuals and 2 entities on the sanctions list of the Committee.

VI. Panel of Experts

25. On 29 January, in accordance with paragraph 24 (d) of resolution [2213 \(2015\)](#), the Panel of Experts provided its final report to the Committee, which was transmitted to the Security Council on 4 March and issued as a document of the Council ([S/2016/209](#)).

26. On 12 May, following the adoption by the Security Council of resolution [2278 \(2016\)](#) on 31 March, the Secretary-General appointed five individuals to serve on the Panel, with expertise in arms (two experts), finance, armed groups/regional matters and maritime/transport matters (see [S/2016/443](#)). On 31 May, the Secretary-General appointed a sixth individual to serve on the Panel, with expertise in armed groups (see [S/2016/504](#)). The mandate of the Panel expires on 31 July 2017.

27. On 28 September, in accordance with paragraph 13 of resolution [2278 \(2016\)](#), the Panel provided its interim report to the Security Council.

28. The Panel conducted visits to Austria, Belgium, Chad, Egypt, France, Germany, Italy, Lebanon, Libya, Malta, Morocco, South Africa, Sweden, Tunisia, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland and the United States of America. In Libya, members of the Panel undertook visits to Misratah, Tripoli and Tubruq.

29. In pursuance of its mandate, the Panel, through the Secretariat, sent 95 letters to Member States, the Security Council, the Committee and international and national entities.

VII. Secretariat administrative and substantive support

30. 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.

31. 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 1 December to request the nomination of qualified candidates for membership of the roster of experts.

32. The Division continued to provide support to the Panel of Experts, conducting an induction for newly appointed members in New York and assisting in the preparation of the Panel's final report in January and during the preparation of its interim report in August.

33. The Panel of Experts participated in the fourth annual inter-panel coordination workshop, held in New York on 6 and 7 December, organized by the Secretariat. On 8 and 9 December, the Division, in cooperation with United Nations system partners, conducted a workshop on investigative interview techniques for 19 experts from sanctions monitoring groups, teams and panels. One member of the Panel participated therein.

34. 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, including through the establishment of a search function for names on sanctions lists, the creation of lists organized by permanent reference number, in addition to those in alphabetical order, and the creation of links in list entries, as appropriate, to INTERPOL-United Nations Security Council Special Notices.
