



## Security Council

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

#### **Letter dated 24 June 2011 from the Permanent Representative of Poland to the United Nations addressed to the Chair of the Committee**

I have the honour to submit herewith the report on the steps taken by the Republic of Poland on the implementation of the measures imposed by the Security Council in its resolution 1970 (2011) (see annex).

If requested by the Committee, my Government stands ready to provide further information and to assist in the assessment of the implementation of the resolution.

*(Signed)* Witold Sobków  
Ambassador  
Permanent Representative



**Annex to the letter dated 24 June 2011 from the Permanent Representative of Poland to the United Nations addressed to the Chair of the Committee**

**Report on the implementation of resolution 1970 (2011) adopted by the Security Council on 26 February 2011, concerning restrictive measures against the Libyan Arab Jamahiriya**

The Republic of Poland, in accordance with paragraph 25 of resolution 1970 (2011), would like to submit all measures which have been taken to implement effectively the above-mentioned resolution.

**Protection of the national border and securing the safety of shipping**

The Directors of the Maritime Offices were notified about the adoption of resolution 1970 (2011) and about the need to inform the Shipping Safety Department in the Ministry of Infrastructure of every case where a breach of paragraphs 9 and 10 (prohibition of the import and export of arms) is suspected on the part of a ship in the Polish maritime areas. So far no such cases have been noted.

The National Border Guard Headquarters assured the correct implementation of resolution 1970 (2011), especially where paragraph 15 is concerned (the travel ban on persons listed in annex I to the resolution). The personal data of 16 citizens of Libya was placed in a database, which helps the National Border Guard to prevent their entry to or transit through Polish territory.

**Financial affairs**

Poland, as a member of the European Union, implements the restrictive measures against the Libyan Arab Jamahiriya imposed by the Security Council in its resolution 1970 (2011) by direct application of the provisions set forth in Council Regulation (EU) No. 204/2011 of 2 March 2011 concerning restrictive measures in view of the situation in Libya and following regulations amending the list of entities concerned. The aforesaid Regulation was adopted in line with Council Decision 2011/137/CFSP, providing a common approach to the issue and with a view to ensuring uniform application of the measures by all concerned.

As explicitly stipulated in article 5 of the Regulation, it is mandatory for institutions to freeze assets belonging to, owned, held or controlled by the persons, entities and bodies listed in annexes II and III. Annex II includes the natural or legal persons, entities and bodies designated by the Security Council or by the Sanctions Committee in accordance with paragraph 22 of resolution 1970 (2011), whereas annex III consists of natural or legal persons, entities and bodies not covered by annex II which, in accordance with article 6(l) of Council Decision 2011/137/CFSP, have been identified by the Council of the European Union as being persons and entities involved in serious human rights abuses in Libya. The Regulation also provides for relevant exemptions laid down in line with articles 18 to 20 of the aforementioned resolution.

It should also be noted that the Act of 16 November 2000 on counteracting money-laundering and financing of terrorism provides, at the national level, a procedure enabling the competent authority to release under enumerated

circumstances frozen assets, and sets forth penalties for infringement of the obligation to freeze assets. As stated above, each institution is required by virtue of law to fulfil the obligation to freeze assets arising from the Regulation and to submit all the data pertinent to the freeze to the said authority.

**Arms export**

In the field of arms export, there is close cooperation between the appropriate services and institutions in the security sector. Since the entry into force of the resolution, there has been no notification about the transfer of equipment, armaments or ammunition to Libya from Poland. Furthermore, the Ministry of Economy had reviewed all permissions for the transfer of armaments abroad that were still valid and cancelled one of them, which related to the export of arms to Libya.

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