



Security Council

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Letter dated 26 December 2023 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 2023. 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) Mitsuko Shino
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 2023.
2. The Bureau of the Committee consisted of Kimihiro Ishikane (1 January to 14 December) and Mitsuko Shino (15 to 31 December) (Japan) as Chair and a representative of Malta 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), 2578 (2021), 2635 (2022) and 2684 (2023) for additional, successive periods of 12 months. By its resolution 2701 (2023), 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 \(2018\)](#), [2509 \(2020\)](#) and [2644 \(2022\)](#) 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 [2701 \(2023\)](#).

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 thrice in informal consultations, on 3 March, 4 August and 18 August, in addition to conducting its work through written procedures.

9. During the informal consultations held on 3 March, the Committee heard a presentation by the Panel of Experts on its interim report, submitted in accordance with paragraph 13 of resolution [2644 \(2022\)](#), and discussed the recommendations contained therein.

10. During the informal consultations held on 4 August, the Committee held a discussion with representatives of the Libyan Investment Authority (LYe.001), its audit company, and the Permanent Representative of Libya to the United Nations.

11. During the informal consultations held on 18 August, the Committee heard a presentation by the Panel of Experts on its final report ([S/2023/673](#)), submitted in accordance with paragraph 13 of resolution [2644 \(2022\)](#), and discussed the recommendations contained therein.

12. 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 summaries of the meetings held on 3 March, 4 August and 18 August ([SC/15237](#), [SC/15389](#) and [SC/15415](#)).

13. On 4 December, the Committee adopted its Implementation Assistance Notice No. 7 to provide guidance to Member States on the application of the humanitarian exemption established by resolution [2664 \(2022\)](#) to the asset freeze established under resolution [1970 \(2011\)](#). A press release ([SC/15517](#)) and a note verbale to all Member States were also issued.

14. On 18 April, 19 June, 22 August, 16 October and 18 December, the Chair gave a briefing to the Security Council on the activities of the Committee pursuant to paragraph 24 (e) of resolution [1970 \(2011\)](#) (see [S/PV.9306](#), [S/PV.9351](#), [S/PV.9402](#), [S/PV.9438](#) and [S/PV.9510](#)). In previous briefings, 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.

15. The Committee received one implementation report from a Member State. It also received an inspection report, a subsequent written report on a prior vessel inspection and an update on a prior vessel inspection from a regional organization.

16. The Committee sent 61 communications to 17 Member States and other stakeholders with reference to the implementation of the sanctions measures. On 3 April and 22 November, the Committee issued notes verbales to all Member States on asset freeze exemptions and exceptions, including in relation to the Libyan Investment Authority (LYe.001), in response to letters received from Libya on this matter.

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 and 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 petroleum, including crude oil and refined petroleum products, from Libya are contained in paragraphs 10 (c) and 12 of resolution [2146 \(2014\)](#).
21. 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 \(2011\)](#).
22. No negative decision was taken by the Committee in connection with 14 asset freeze notifications citing paragraph 19 (a) of resolution [1970 \(2011\)](#). The Committee received two notifications invoking paragraph 21 of resolution [1970 \(2011\)](#) and consideration is still ongoing whether or not they fall under the scope of paragraph 21.
23. The Committee extended for a fifth time a previously approved travel ban exemption request invoking paragraph 16 (a) of resolution [1970 \(2011\)](#), to facilitate travel for humanitarian reasons for a duration of six months, to unlimited destinations, for three individuals inscribed on the sanctions list of the Committee. Subsequently, the Committee extended for a sixth time the exemption request for two of the three individuals, with the third individual no longer being subject to the travel ban measure. The Committee received four travel notifications from two listed individuals under the aforementioned exemption.

V. Sanctions list

24. 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.
25. No entries were added to or removed from the list. The Committee updated an existing entry on its sanctions list on 16 October, following the conclusion of the Focal Point process established by resolution [1730 \(2006\)](#) in relation to a listed individual, to reflect that the individual was no longer subject to the travel ban measure imposed pursuant to paragraph 15 of resolution [1970 \(2011\)](#) (see [SC/15446](#)). The individual continues to be subject to the asset freeze measure pursuant to the relevant resolutions. 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

26. On 20 February, in accordance with paragraph 13 of resolution [2644 \(2022\)](#), the Panel of Experts provided its interim report to the Committee, which was transmitted to the Security Council on 15 March.

27. On 7 August, in accordance with paragraph 13 of resolution [2644 \(2022\)](#), the Panel of Experts provided its final report to the Committee, which was transmitted to the Security Council on 14 September and issued as a document of the Council ([S/2023/673](#)).

28. On 20 November, following the adoption by the Security Council of resolution [2701 \(2023\)](#), the Secretary-General appointed six individuals, with expertise in armed groups, armed groups/international humanitarian law, arms, arms/maritime matters, finance, and regional/transport matters, to serve on the Panel of Experts (see [S/2023/896](#)). The mandate of the Panel expires on 15 February 2025.

29. The Panel of Experts conducted visits to Austria, Bangladesh, Belgium, Egypt, Germany, Italy, Jordan, Netherlands (Kingdom of the), the Russian Federation, Serbia, Spain, 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 two visits to Tripoli.

30. In pursuance of its mandate, the Panel of Experts, through the Secretariat, sent 178 letters to 72 recipients comprising Member States, the Security Council, the Committee, international and national entities and individuals.

VII. Secretariat administrative and substantive support

31. 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 1 to 3 December, the Secretariat conducted the third training session on the design, implementation, monitoring, evaluation, adjustment and redesign of sanctions for incoming members of the Council.

32. To support the Committee in its recruitment of well-qualified experts to serve on sanctions monitoring groups, teams and panels, the Division has begun to brief regional groups and held public outreach events on 21 June and 26 October to attract a more geographically diverse applicant pool. On 13 December, a note verbale was sent to all Member States to request the nomination of qualified candidates for the pool of experts. In addition, a note verbale was sent to all Member States on 8 August, notifying them of upcoming vacancies on the Panel of Experts and providing information on recruitment timelines, areas of expertise and pertinent requirements. On 2 August, vacancy announcements were also made available online at the United Nations career portal (<https://careers.un.org>).

33. The Division continued to provide support to the Panel of Experts, assisting in the preparation of the Panel's interim report, submitted to the Committee in February, and its final report, submitted to the Committee in August. The Secretariat facilitated travel by Panel members to deliver their mandate, which included meetings with Member States and other stakeholders. The Secretariat organized an inter-panel workshop from 5 to 7 December, which was focused on providing additional tools to enhance expert investigations and reporting.

34. 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 ISIL/Da'esh, Al-Qaida and associated individuals, groups, undertakings and entities, as requested by the Council in paragraph 54 of its resolution [2368 \(2017\)](#).

35. On 2 May and 30 November, the Secretary-General submitted reports on the implementation of resolutions [2635 \(2022\)](#) and [2684 \(2023\)](#), pursuant to paragraph 2 of each resolution ([S/2023/308](#) and [S/2023/936](#)). The reports contained information 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.
