



Security Council

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Letter dated 15 December 2020 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 2020. 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) Günter Sautter
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 2020.
2. The Bureau of the Committee consisted of Juergen Schulz (Germany) as Chair until 12 July 2020 and Günter Sautter (Germany) as his successor until 31 December 2020, and a representative of Belgium 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) and 2526 (2020) for additional, successive periods of 12 months. By its resolution 2509 (2020), 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) and 2441 (2018). The Council further decided to modify the designation period of vessels to one year, which may be renewed by the Committee. The Council also requested that the Panel of Experts on Libya closely follow and report to the Committee any information relating to the illicit export from or illicit import to Libya of petroleum, including crude oil and refined petroleum products.

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 2509 (2020).

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. 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 15 May, 28 July, 4 September, 9 November and 15 December.

9. During the closed videoconference held on 15 May, the Committee heard a presentation by the Panel of Experts on Libya on its programme of work pursuant to resolution 2509 (2020).

10. During the closed videoconference held on 28 July, the Committee held a discussion with representatives to the United Nations of Algeria, Chad, Cyprus, Egypt, Greece, Italy, Jordan, Lebanon, Malta, Morocco, Oman, Qatar, Saudi Arabia, the Sudan, the Syrian Arab Republic, Turkey, Ukraine, 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, with a focus on the implementation of the arms embargo, and to seek information regarding action taken thereon. The Panel of Experts on Libya gave a briefing to the participants about the implementation of the sanctions measures.

11. During the closed videoconference held on 4 September, the Committee heard a presentation by the Panel of Experts on Libya on its interim report, submitted to the Committee on 20 August, in accordance with paragraph 12 of resolution 2509 (2020), and discussed the recommendations contained therein, as well as the publication of the current and subsequent interim reports.

12. During the closed videoconference held on 9 November, the Committee heard an update by the Panel of Experts on Libya on the implementation of the arms embargo in the aftermath of the ceasefire agreement in Libya reached on 23 October.

13. During the closed videoconference held on 15 December, the Committee heard a presentation by the Head of the Libyan Investment Authority, a listed entity. The representative of Libya, as well as the Panel of Experts on Libya, participated in the closed videoconference.

14. On 15 December, the Committee adopted updates to its Implementation Assistance Notice No. 4, which is aimed at assisting Member States in their implementation of the travel ban.

15. On 30 January, 19 May and 2 September, 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/PV.8710](#), [S/2020/417](#) and [S/2020/887](#)). In the briefing held on 30 January, the Chair recalled his intention to work towards organizing a visit of the Committee to all agreed areas of Libya, as stated in the 2018 and 2019 annual reports of the Committee, as soon as possible, subject to logistical and security arrangements.

16. The Committee received six implementation reports from six Member States and seven inspection reports from a regional organization. The Committee responded to three requests for guidance relating to the arms embargo and the asset freeze.

17. The Committee sent 83 communications to 36 Member States and other stakeholders with reference to the implementation of the sanctions measures.

IV. Exemptions

18. 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 \(2011\)](#).

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

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

21. 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 \(2014\)](#).

22. The Committee approved two arms embargo exemption requests invoking paragraph 9 (c) of resolution [1970 \(2011\)](#).

23. No negative decision was taken by the Committee in connection with five asset freeze notifications citing paragraph 19 (a) of resolution [1970 \(2011\)](#). The Committee approved one travel ban exemption request invoking paragraph 16 (a) of resolution [1970 \(2011\)](#) and invoked 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. The Committee considered and approved one request to amend the travel dates of one petitioner, for travel previously approved on 18 December 2019.

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. As at the end of the reporting period, there were 28 individuals and two entities on the sanctions list of the Committee.

VI. Panel of Experts on Libya

26. On 10 March, following the adoption by the Security Council of resolution [2509 \(2020\)](#), the Secretary-General appointed six individuals to serve on the Panel of Experts on Libya with expertise in arms, arms/maritime matters, finance, armed groups/finance, armed groups/international humanitarian law and regional/transport matters (see [S/2020/203](#)). The mandate of the Panel was extended until 15 May 2021.

27. On 20 August, in accordance with paragraph 12 of resolution [2509 \(2020\)](#), the Panel of Experts on Libya provided its interim report to the Committee, which was transmitted to the Security Council on 15 September.

28. The Panel of Experts on Libya conducted visits to France, Italy, Spain, Switzerland, Tunisia and the United Kingdom of Great Britain and Northern Ireland. In Libya, members of the Panel undertook a visit to Tripoli.

29. In pursuance of its mandate, the Panel of Experts on Libya, through the Secretariat, sent 429 letters to 72 Member States, the Security Council, the Committee, international and national entities and individuals.

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. 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 virtual meetings held by the Committee, through a variety of platforms.

32. 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 14 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 15 November 2019 notifying them of upcoming vacancies on the Panel of Experts on Libya and providing information on recruitment timelines, areas of expertise and pertinent requirements. On 14 November 2019, vacancy announcements were also made available online at careers.un.org.

33. The Division continued to provide support to the Panel of Experts on Libya, conducting a virtual induction for newly appointed members and assisting in the preparation of the Panel's interim report, submitted to the Committee in August. While COVID-19 pandemic restrictions impeded the travel of Panel members for much of the year, the Secretariat facilitated travel by Panel members to Member States, taking into account World Health Organization guidelines, national travel advisories and other pandemic-related requirements. The Secretariat also organized a remote workshop on investigative techniques, held from 14 to 16 December, which was focused on investigative methods and tools for experts. In addition, the Secretariat organized training sessions for experts on the use of subscription-based analytical products and programmes, as well as databases and other research tools, to facilitate their monitoring and reporting work.

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 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 \(2017\)](#). Since November 2020, the notes verbales notifying Member States about listings on, delistings from and updates to the Consolidated List and the committee-specific sanctions lists have also been made available in Arabic, Chinese and Russian, in addition to English, French and Spanish, in order to facilitate the timely implementation of changes to the relevant lists.

35. The Secretary-General submitted his report on the implementation of resolution [2420 \(2018\)](#), pursuant to paragraph 2 of that resolution, on 15 May 2020 ([S/2020/393](#)). The report contained information relating to 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.
