

SECURITY COUNCIL COMMITTEE ESTABLISHED  
PURSUANT TO RESOLUTION 1970 (2011)  
CONCERNING LIBYA

**Implementation Assistance Notice # 5**

Guidance to Member States on the correct application of the provisions of the resolutions regarding the payment of management fees on frozen assets.

In response to requests for guidance received from Member States concerning the proper implementation of the asset freeze measures imposed in Security Council resolutions 1970 (2011) of 26 February 2011, 1973 (2011) of 17 March 2011 and modified in resolution 2009 (2011) of 16 September 2011, the Committee would like to note that the payment of management fees, legal fees and service charges on frozen assets are also subject to the provisions of the various resolutions, as indicated in paragraph 19 of resolution 1970 (2011).

The exemption measures elaborated in paragraphs 19, 20 and 21 of resolution 1970 (2011) continue to be applicable as per paragraph 15 (a) of resolution 2009 (2011). The payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services or fees or service charges for routine holding and maintenance of frozen funds may be made from frozen funds when determined by Member State to be necessary and after notification by the relevant State to the Committee and in the absence of a negative decision by the Committee.

Fees appropriated without notification would constitute non-compliance with the assets freeze measures.