

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

Chairman's seventh report pursuant to paragraph 24(e) of  
Security Council resolution 1970 (2011)

1. In accordance with paragraph 24(e) of Security Council resolution 1970 (2011) of 26 February 2011, I have the honour to report to the Security Council on the work of the Committee established by the same resolution. The report covers the period from 11 May to 8 November 2012, during which time the members of the Committee met twice in informal consultations.
2. In informal consultations on 25 July, the Committee heard a presentation by the Panel of Experts on its interim report. The report contained the Panel's findings and recommendations in relation to the implementation of the travel ban, assets freeze and arms embargo, including incidents of non-compliance. Concerning the travel ban, the Panel stated that it had focused on the cases of two listed individuals, on whom it intended to continue to gather additional information. Regarding the assets freeze, the Panel reported that it had concentrated its efforts on identifying the hidden assets of the listed entities, with the aim of helping to ensure that those assets were ultimately used for the benefit of the Libyan people, as well as the assets of listed individuals, much of which was believed to be held abroad in different names.
3. As regards the arms embargo, the Panel stated that it had gathered evidence that showed that materiel had been transferred out of Libya, in violation of the arms embargo, across both land and sea borders. The Panel expressed its concern at the lack of standardization of information contained in the arms embargo exemption notifications--submitted by Member States to the Committee--that aimed to provide security and disarmament assistance to the Libyan authorities. The Panel also informed that it continued to investigate a number of cases of military materiel that had entered Libya during the revolution. Subsequent to its interim report, on 28 September, the Panel submitted an inspection report on a recent case of attempted export of ammunition to Libya.
4. Mr. President, in its interim report the Panel presented nine recommendations, all of which enjoyed the agreement of the members of the Committee, and on which the Committee has taken action where necessary. Thus the Committee issued two implementation assistance notices, both of which were dispatched to all Member States and are available on the Committee's website. The first notice outlines what information should be included in arms embargo exemption notifications to the Committee. The second notice focuses on the reporting of violations or attempted violations of the arms embargo. In addition, together with the first notice, the Committee conveyed to the Libyan authorities some proposals that aim to streamline and improve the exemption notification procedure.
5. In informal consultations on 10 October, upon the request of one of its members, the Committee met and discussed arms proliferation from Libya in the region, and in particular a media-reported case of alleged violation of the arms embargo involving a ship by the name of Instisaar. In follow-up, on 25 October, the Committee dispatched two letters of inquiry, one to the reported State of origin and the other to the State in which, reportedly, the ship had docked

thereafter. Both States were requested to provide written details concerning the media reports within two weeks of the receipt of the letter. The Coordinator of the Panel of Experts also participated in the abovementioned informal consultations via videoconference.

6. This was the second such case on which the Committee has taken action, the first involving the ship *Letfallah II*. In follow-up to that case the Committee sent five letters, one each to the reported State of origin, the State through which the ship had passed, the flag State of the vessel as well as the reported State of nationality of its owner and captain, and the reported State of destination in whose territorial waters the ship was intercepted and its cargo was seized. To date, the Committee or its Panel of Experts has received responses from four of the five States. Further inquiries are ongoing, and a follow-up letter has been sent to the reported State of origin.

7. Mr. President, I would like to share some statistics on the work of the Committee since my last periodic report to the Council. The Committee received one request for a waiver from the travel ban, the consideration of which is not yet concluded. The Committee received the views of the State of intended re-location as well as the State of nationality of the listed individual involved, and it hopes to also receive the views of the State of residence. Concerning the assets freeze, the Committee approved three requests for exemption under the basic expenses provision set out in paragraph 19(a) of resolution 1970 (2011). It also received one notification under paragraph 21 of the same resolution in connection with a contract entered into prior to the listing of an entity.

8. With respect to the arms embargo, the Committee approved 8 requests for an exception to that measure under paragraph 9(a) or 9(c) of resolution 1970 (2011). Furthermore, no negative decision was taken by the Committee in relation to 27 notifications under paragraph 13(a), and 2 notifications under paragraph 13(c), of resolution 2009 (2011). Paragraph 13(a) allows the supply of arms and related materiel of all types intended solely for security or disarmament assistance to the Libyan authorities. I referred to the efforts to standardize these notifications and to streamline and improve the relevant procedure earlier. Lastly, the Committee responded to five requests for guidance, one of which, involving a listed entity, also gave rise to some additional questions on which the Committee has sought clarification from the Libyan authorities. All of the aforementioned statistics, going back to the inception of the Committee, are shared with its members in a tabular format which is updated regularly.

9. Finally, Mr. President, the Committee wishes to recall paragraph 11 of resolution 2040 (2012) in which the Security Council “urge(d) all States...to cooperate fully with the Committee and the Panel, in particular by supplying any information at their disposal on the implementation of the measures decided in resolutions 1970 (2011) and 1973 (2011), and modified in resolution 2009 (2011), in particular incidents of non-compliance”. The Committee also expresses its support for the work of the Panel of Experts, and to encourage Member States to respond to the Panel's requests for information and/or a visit promptly. Just yesterday, upon a request for assistance from the Panel, the Committee dispatched reminders to five States from whom a response has been pending for a considerably long period of time; reminders to four additional States are under consideration.

10. As this will likely be my last periodic report under paragraph 24(e) of resolution 1970 (2011) to the Council, I would like to conclude by thanking the members of the Committee for their cooperation over the past twenty months I have served as Chairman.

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