

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

Chair's eighth 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 9 November 2012 to 14 March 2013, during which time the members of the Committee met twice in informal consultations.
2. In informal consultations on 28 November, the outgoing Committee Chair took stock of the work carried out by the Committee since its establishment. The Committee discussed pending matters and a case of alleged proliferation of arms from Libya into the region. Subsequently, on 18 December, the Committee sent a letter seeking further information from the Member State that had originally referred to that case in a meeting of the Security Council.
3. On 30 November, the outgoing Committee Chair provided an open briefing to all Member States, in which he gave an overview of the work of the Committee against the backdrop of a continually evolving sanctions regime. The Panel of Experts, which also participated, elaborated on the guidance contained in the Committee's Implementation Assistance Notice no. 2 in relation to arms embargo exemptions. An interactive discussion followed.
4. On 15 February 2013, the Committee received the final report of the Panel of Experts under resolution 2040 (2012). I will briefly recapitulate parts of the Executive Summary of this document. Concerning the arms embargo, the Panel concluded that, despite notable efforts, most of the challenges to implementation and enforcement highlighted in its previous report, continued to exist. In that context, the Panel noted that Libya's security sector was still in the process of being built; it found that the proliferation of weapons from Libya had continued at a worrying scale and spread into new territory; and it expressed concern that while several Member States had notified the Committee of the transfers of military and other materiel to the Libyan authorities for security assistance, there was an absence of any official procurement mechanism within Libya for such transfers. The Panel also reported on cases of transfers of arms and ammunition to and from Libya during the uprising and/or more recently, and on its ongoing investigations in that regard.
5. Concerning the assets freeze, the Panel focused its efforts on the hidden assets of the two listed entities, the Libyan Investment Authority and the Libyan Africa Investment Portfolio, and on the assets of the listed individuals, most of which were believed to be held abroad in different names. The Panel collected information regarding efforts by certain listed individuals to negate the affects of the assets freeze measures by the use of front companies and by accomplices who had assisted them to that end. The Panel also reported on the implementation, or lack thereof, of the assets freeze by certain Member States.

6. As regards the travel ban, the Panel continued to seek information on all violations with a particular focus, in this report, on two listed individuals.

7. The Committee discussed the report and recommendations of the Panel of Experts in informal consultations on 6 March. The report was generally well received, and the main points that emerged in the discussion were: concern about the level and reach of arms proliferation from Libya, with acknowledgement of certain steps taken by the Libyan authorities towards improving the situation; a desire to apply the sanctions framework in partnership with the Libyan authorities, and in support of the Libyan-led transition and institution-building process; ways in which to raise awareness of the sanctions measures and to remove any misconceptions of them as barriers to progress; and how to carry forward the recommendations of the Panel of Experts. Of the eight recommendations, the Committee agreed to take follow-up action on five. A sixth recommendation required no action and the Committee simply took note of it, while the two remaining recommendations were addressed to the Security Council.

8. Lastly, Mr. President, some updated statistics on the issues dealt with by the Committee since the last periodic report to the Council. In relation to the arms embargo, the Committee approved 10 exemption requests and received 29 notifications on which no negative decision was taken. With respect to the assets freeze, the Committee received 4 notifications on which no negative decision was taken. The Committee also responded to 4 requests for guidance from Member States. Finally, the Committee received a request for the removal of a name from its travel ban and assets freeze list, the process of consideration of which is still ongoing. Going forward, I intend to continue the good practice established by my predecessor of reflecting such statistics and issues in a tabular format, to be updated regularly, and to share them with the Committee members.

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