

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

Implementation Assistance Notice #2

(as updated on 11 September 2014)

This note contains information aimed at assisting Member States in the implementation of the arms embargo on Libya.

Overview of Arms Embargo and Exceptions

Under the relevant Security Council resolutions, **all Member States are required to take the necessary measures to prevent the direct or indirect supply, sale or transfer to Libya**, from or through their territories or by their nationals, or using their flag vessels or aircraft, of arms and related materiel of all types, and technical assistance, training, financial or other assistance related to military activities or to the provision, maintenance, or use of any arms and related materiel, **with the following exceptions:**

- Non-lethal military equipment, and the provision of any technical assistance, training or financial assistance, when intended solely for security or disarmament assistance to the Libyan Government;
- Non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training;
- Protective clothing, including flak jackets and military helmets, temporarily exported to Libya by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, for their personal use only;
- Small arms, light weapons and related materiel, temporarily exported to Libya for the sole use of United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, **notified to the Committee in advance** and in the absence of a negative decision by the Committee within five working days of such a notification;
- Other supply, sale or transfer of arms and related materiel, including related ammunition and spare parts, or provision of assistance or personnel, **as approved in advance by the Committee.**

Notifications and Requests for Approval

Member States should ensure that notifications and requests for advance approval, **where necessary as indicated above**, contain all relevant information.

For transfers of items, this information consists of the following: precise end-user,¹ exact quantity of items and a detailed list of equipment to be provided,² intended dates of delivery,

¹ The supplying party is not obliged to present a copy of the end-user certificate; a confirmation that an end-user certificate has been signed by the relevant Libyan authorities (see footnote 3) and the indication of the identity of this end-user are sufficient. The notification should include the name of the precise body which will manage the material and the precise unit that will use it.

² The provision of a detailed list bears relevance only insofar as any types of the supplied equipment are included in the UN Register of Conventional Arms or the Wassenaar Arrangement.

means of transport, intended port of entry, intended place(s) of delivery, as necessary, and, for transfers to the Government of Libya, a note issued by the Libyan body responsible for dealing with requests for assistance.³

For the provision of technical assistance, training, financial or other assistance, this information consists of the following: precise details of the type of training and/or assistance to be delivered, the name of the body that will provide the service, the recipient to whom the service will be delivered, and the location and duration.

Where Committee approval is required, a transfer may proceed only after the Committee has provided its approval.

Where notification is required, a transfer may proceed only in the absence of a negative decision by the Committee within five working days of such a notification.

Upon the delivery of each consignment, the supplying Member State should write to the Committee to confirm the transfer and provide the following information: exact quantity of items delivered, actual port of entry, place(s) of delivery, and recipient of shipment (name and position).

No later than one month after the delivery of each consignment, the end-user should notify the Committee of the specific place of storage of the delivered materiel. (For transfers to Libyan governmental entities, the Government of Libya should make this notification.)

Private companies

Any private company, including security firms active in Libya, should check with their relevant national authorities to ensure that they are in full compliance with domestic laws and regulations implementing the UN arms embargo.

³ Focal points responsible for procurement have been identified by the Libyan authorities in the various relevant ministries and notified to the Committee by the Permanent Mission of Libya to the United Nations: information about the officials within these focal points who are authorized to sign the note can be provided or confirmed by the Committee secretariat upon request (SC-1970-Committee@un.org).