April 28, 2011

HAND DELIVERED

To the managements of all supervised financial institutions and trust service providers

CMB/1.13/INT/102

Subject: Restrictive measures i.e.w. situation in Libya

Dear Management,

Pursuant to the Sanctions State Ordinance 2006 (AB 2007 no. 24)\textsuperscript{1}, which became effective on April 26, 2007, rules may be laid down by State Decree containing general administrative orders for the implementation of a convention or an international resolution that Aruba is obligated to comply with, and which entail a restriction, prohibition or the imposition of an obligation for residents. In connection herewith the Centrale Bank van Aruba (CBA) requests your urgent attention for the Sanctions State Decree Libya 2011 (AB 2011 no. 25) (enclosure 1), which was enacted by the Government of Aruba on April 18, 2011. The English translation of the Sanctions State Decree Libya 2011 is still pending. As soon as it is available it will be put on the CBA’s website.

Pursuant to article 2, paragraph 1, of the Sanctions State Decree Libya 2011, all funds or other assets present in Aruba that belong directly or indirectly to, are owned by, are in possession of or are under the control of a natural person, legal entity or other entity, mentioned in Annex II of the United Nations Security Council Resolution 1970 (2011) (enclosure 2) respectively United Nations Security Council Resolution 1973 (2011) (enclosure 3), are frozen.

Pursuant to article 3 and article 4, paragraph 1, of the Sanctions State Decree Libya 2011 you are required to comply with the following restrictions, prohibitions, and obligations:

1. It is prohibited to render services or to carry out actions that can lead to, or reasonably lead to, a person mentioned in Annex II of the United Nations Security Council Resolution 1970 (2011), respectively, United Nations Security Council Resolution 1973 (2011), gaining any kind of access to his frozen funds or other assets.
2. It is required, when frozen funds or other assets are in the custody of your institution or trust service provider, to take such measures, so that these funds and other assets cannot be used, transferred, converted, moved or made available.
3. You must report to the CBA any frozen funds or other assets which are in the custody of your institution or trust service provider.
4. You are required to take such measures that enable you to keep abreast at all times of the content of Annex II of the United Nations Security Council Resolution 1970 (2011) respectively United Nations Security Council Resolution 1973 (2011), and all the subsequent amendments made to these lists.

\textsuperscript{1} The text hereof can be found on the CBA’s website www.cbaruba.org.
Compliance by your institution or trust service provider with the requirements of the Sanctions State Decree Libya 2011 will be assessed by the CBA pursuant to article 4, paragraph 2, of the Sanctions State Decree Libya 2011.

For any additional information, please contact Mr. George Croes or Mrs. Charlene Linders-Bryson of the Integrity Supervision Department at telephone number (297) 5252-175, respectively, (297) 5252-178 or by e-mail, g.croes@cbaruba.org respectively, c.m.linders-bryson@cbaruba.org.

Sincerely yours,

Centrale Bank van Aruba

Enclosures: 3
AFKONDIGINGSBLAD
VAN
ARUBA

LANDSBESLUIT, houdende algemene maatregelen, van 15 april 2011 ter uitvoering van artikel 2, tweede lid, van de Sanctieverordening 2006 (AB 2007 no. 24) (Sanctiebesluit Libië 2011)

Uitgegeven, 18 april 2011

De minister van Justitie en Onderwijs,

A.L. Dowers
IN NAAM DER KONINGIN!

DE GOUVERNEUR van Aruba,

In overweging genomen hebbende:

dat Aruba gehouden is tot naleving van de resoluties nrs. 1970(2011) en 1973(2011) van de Veiligheidsraad van de Verenigde Naties, waarin een aantal onverwijld door de lidstaten te nemen maatregelen wordt voorgeschreven, waaronder de bevriezing van fondsen en andere vermogensbestanddelen, die gericht zijn tegen bepaalde Libische natuurlijke personen, rechtspersonen en entiteiten vanwege hun betrokkenheid bij ernstige schendingen van mensenrechten in Libië en gewelddadigheden tegen de Libische bevolking;

Gelet op:

artikel 2, eerste lid, van de Sanctieverordening 2006 (AB 2007 no. 24);

Heeft besloten:

§1. Algemene bepalingen

Artikel 1

1. In dit landsbesluit wordt verstaan onder:

bevriezen : een verbod op gebruikmaking, overmaking, omzetting, verplaatsing of terbeschikkingstelling;


fondsen of andere vermogensbestanddelen: goederen, hoe dan ook verkregen, als bedoeld in artikel 1 van Boek 3 van het Burgerlijk Wetboek van Aruba, alle bescheiden en gegevensdragers, in welke vorm of hoedanigheid dan ook, waaruit de gehele dan wel gedeelde eigendom of gerechtigheid blijkt ten aanzien van een goed, en voortbrengselen onderscheidenlijk waardevermeerderingen van een goed;
dienst: een werkzaamheid met betrekking tot een fonds of een ander vermogensbestanddeel;
dienstverlener: een ieder die beroeps- of bedrijfsmatig een dienst verleent;
Minister: de minister, belast met financiële aangelegenheden;
Bank: de Centrale Bank van Aruba;

§2. De bevrijezing van fondsen en andere vermogensbestanddelen

Artikel 2


2. De bevrijezing, bedoeld in het eerste lid, is van overeenkomstige toepassing op:

Artikel 3


2. Een ieder die bevroren fondsen of andere vermogensbestanddelen onder zich heeft, treft zodanige maatregelen, waardoor van deze fondsen en vermogensbestand-
Artikel 4


2. Indien een dienstverlener een krachtens landsverordening onder toezicht van de Bank gestelde onderneming of instelling is, is de Bank belast met het toezicht op de naleving door deze dienstverleners van de jegens hen geldende verplichtingen van dit landsbesluit.

Artikel 5

Indien de bevriezing een registergoed als bedoeld in artikel 10 van Boek 3 van het Burgerlijk Wetboek van Aruba betreft, draagt de houder van het desbetreffende openbare register ervoor zorg dat hiervan aantekening wordt gedaan in dat openbare register.

Artikel 6

Artikel 12 van het Sanctiebesluit bestrijding terrorisme en terrorismefinanciering (AB 2010 no. 27) is van overeenkomstige toepassing, met dien verstande dat in het tweede lid in plaats van "het Sanctiecomité" wordt gelezen: het Comité, bedoeld onder punt 24 van Resolutie 1970(2011).

§3. Slotbepaling

Artikel 7

1. Dit landsbesluit treedt in werking met ingang van de dag na die van zijn plaatsing in het Afkondigingsblad van Aruba.


Gegeven te Oranjestad, 15 april 2011
F.J. Refunjol
De Minister van Financiën, Communicatie, Utiliteiten en Energie, M.E. de Meza

De minister van Justitie en Onderwijs, A.L. Dowers
United Nations

Security Council

Distr.: General
26 February 2011

Resolution 1970 (2011)

Adopted by the Security Council at its 6491st meeting, on
26 February 2011

The Security Council,

Expressing grave concern at the situation in the Libyan Arab Jamahiriya and condemning the violence and use of force against civilians,

Deploring the gross and systematic violation of human rights, including the repression of peaceful demonstrators, expressing deep concern at the deaths of civilians, and rejecting unequivocally the incitement to hostility and violence against the civilian population made from the highest level of the Libyan government,

Welcoming the condemnation by the Arab League, the African Union, and the Secretary General of the Organization of the Islamic Conference of the serious violations of human rights and international humanitarian law that are being committed in the Libyan Arab Jamahiriya,

Taking note of the letter to the President of the Security Council from the Permanent Representative of the Libyan Arab Jamahiriya dated 26 February 2011,

Welcoming the Human Rights Council resolution A/HRC/RES/S-15/1 of 25 February 2011, including the decision to urgently dispatch an independent international commission of inquiry to investigate all alleged violations of international human rights law in the Libyan Arab Jamahiriya, to establish the facts and circumstances of such violations and of the crimes perpetrated, and where possible identify those responsible,

Considering that the widespread and systematic attacks currently taking place in the Libyan Arab Jamahiriya against the civilian population may amount to crimes against humanity,

Expressing concern at the plight of refugees forced to flee the violence in the Libyan Arab Jamahiriya,

Expressing concern also at the reports of shortages of medical supplies to treat the wounded,

* Second reissue for technical reasons (10 March 2011).
Recalling the Libyan authorities’ responsibility to protect its population,

Underlining the need to respect the freedoms of peaceful assembly and of expression, including freedom of the media,

Stressing the need to hold to account those responsible for attacks, including by forces under their control, on civilians,

Recalling article 16 of the Rome Statute under which no investigation or prosecution may be commenced or proceeded with by the International Criminal Court for a period of 12 months after a Security Council request to that effect,

Expressing concern for the safety of foreign nationals and their rights in the Libyan Arab Jamahiriya,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of the Libyan Arab Jamahiriya.

Mindful of its primary responsibility for the maintenance of international peace and security under the Charter of the United Nations,

Acting under Chapter VII of the Charter of the United Nations, and taking measures under its Article 41,

1. Demands an immediate end to the violence and calls for steps to fulfil the legitimate demands of the population;

2. Urges the Libyan authorities to:
   (a) Act with the utmost restraint, respect human rights and international humanitarian law, and allow immediate access for international human rights monitors;
   (b) Ensure the safety of all foreign nationals and their assets and facilitate the departure of those wishing to leave the country;
   (c) Ensure the safe passage of humanitarian and medical supplies, and humanitarian agencies and workers, into the country; and
   (d) Immediately lift restrictions on all forms of media;

3. Requests all Member States, to the extent possible, to cooperate in the evacuation of those foreign nationals wishing to leave the country;

ICC referral

4. Decides to refer the situation in the Libyan Arab Jamahiriya since 15 February 2011 to the Prosecutor of the International Criminal Court;

5. Decides that the Libyan authorities shall cooperate fully with and provide any necessary assistance to the Court and the Prosecutor pursuant to this resolution and, while recognizing that States not party to the Rome Statute have no obligation under the Statute, urges all States and concerned regional and other international organizations to cooperate fully with the Court and the Prosecutor;

6. Decides that nationals, current or former officials or personnel from a State outside the Libyan Arab Jamahiriya which is not a party to the Rome Statute of the International Criminal Court shall be subject to the exclusive jurisdiction of that State for all alleged acts or omissions arising out of or related to operations in the
Libyan Arab Jamahiriya established or authorized by the Council, unless such exclusive jurisdiction has been expressly waived by the State;

7. Invites the Prosecutor to address the Security Council within two months of the adoption of this resolution and every six months thereafter on actions taken pursuant to this resolution;

8. Recognizes that none of the expenses incurred in connection with the referral, including expenses related to investigations or prosecutions in connection with that referral, shall be borne by the United Nations and that such costs shall be borne by the parties to the Rome Statute and those States that wish to contribute voluntarily;

Arms embargo

9. Decides that all Member States shall immediately take the necessary measures to prevent the direct or indirect supply, sale or transfer to the Libyan Arab Jamahiriya, from or through their territories or by their nationals, or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, and technical assistance, training, financial or other assistance, related to military activities or the provision, maintenance or use of any arms and related materiel, including the provision of armed mercenary personnel whether or not originating in their territories, and decides further that this measure shall not apply to:

(a) Supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training, as approved in advance by the Committee established pursuant to paragraph 24 below;

(b) Protective clothing, including flak jackets and military helmets, temporarily exported to the Libyan Arab Jamahiriya by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, for their personal use only; or

(c) Other sales or supply of arms and related materiel, or provision of assistance or personnel, as approved in advance by the Committee;

10. Decides that the Libyan Arab Jamahiriya shall cease the export of all arms and related materiel and that all Member States shall prohibit the procurement of such items from the Libyan Arab Jamahiriya by their nationals, or using their flagged vessels or aircraft, and whether or not originating in the territory of the Libyan Arab Jamahiriya;

11. Calls upon all States, in particular States neighbouring the Libyan Arab Jamahiriya, to inspect, in accordance with their national authorities and legislation and consistent with international law, in particular the law of the sea and relevant international civil aviation agreements, all cargo to and from the Libyan Arab Jamahiriya, in their territory, including seaports and airports, if the State concerned has information that provides reasonable grounds to believe the cargo contains items the supply, sale, transfer, or export of which is prohibited by paragraphs 9 or 10 of this resolution for the purpose of ensuring strict implementation of those provisions;

12. Decides to authorize all Member States to, and that all Member States shall, upon discovery of items prohibited by paragraph 9 or 10 of this resolution,
seize and dispose (such as through destruction, rendering inoperable, storage or transferring to a State other than the originating or destination States for disposal) items the supply, sale, transfer or export of which is prohibited by paragraphs 9 or 10 of this resolution and decides further that all Member States shall cooperate in such efforts;

13. Requires any Member State when it undertakes an inspection pursuant to paragraph 11 above, to submit promptly an initial written report to the Committee containing, in particular, explanation of the grounds for the inspections, the results of such inspections, and whether or not cooperation was provided, and, if prohibited items for transfer are found, further requires such Member States to submit to the Committee, at a later stage, a subsequent written report containing relevant details on the inspection, seizure, and disposal, and relevant details of the transfer, including a description of the items, their origin and intended destination, if this information is not in the initial report;

14. Encourages Member States to take steps to strongly discourage their nationals from travelling to the Libyan Arab Jamahiriya to participate in activities on behalf of the Libyan authorities that could reasonably contribute to the violation of human rights;

Travel ban

15. Decides that all Member States shall take the necessary measures to prevent the entry into or transit through their territories of individuals listed in Annex I of this resolution or designated by the Committee established pursuant to paragraph 24 below, provided that nothing in this paragraph shall oblige a State to refuse its own nationals entry into its territory;

16. Decides that the measures imposed by paragraph 15 above shall not apply:
   (a) Where the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligation;
   (b) Where entry or transit is necessary for the fulfilment of a judicial process;
   (c) Where the Committee determines on a case-by-case basis that an exemption would further the objectives of peace and national reconciliation in the Libyan Arab Jamahiriya and stability in the region;
   (d) Where a State determines on a case-by-case basis that such entry or transit is required to advance peace and stability in the Libyan Arab Jamahiriya and the States subsequently notifies the Committee within forty-eight hours after making such a determination;

Asset freeze

17. Decides that all Member States shall freeze without delay all funds, other financial assets and economic resources which are on their territories, which are owned or controlled, directly or indirectly, by the individuals or entities listed in annex II of this resolution or designated by the Committee established pursuant to paragraph 24 below, or by individuals or entities acting on their behalf or at their direction, or by entities owned or controlled by them, and decides further that all
Member States shall ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any individuals or entities within their territories, to or for the benefit of the individuals or entities listed in Annex II of this resolution or individuals designated by the Committee;

18. **Expresses** its intention to ensure that assets frozen pursuant to paragraph 17 shall at a later stage be made available to and for the benefit of the people of the Libyan Arab Jamahiriya;

19. **Decides** that the measures imposed by paragraph 17 above do not apply to funds, other financial assets or economic resources that have been determined by relevant Member States:

   (a) To be necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services in accordance with national laws, or fees or service charges, in accordance with national laws, for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the relevant State to the Committee of the intention to authorize, where appropriate, access to such funds, other financial assets or economic resources and in the absence of a negative decision by the Committee within five working days of such notification;

   (b) To be necessary for extraordinary expenses, provided that such determination has been notified by the relevant State or Member States to the Committee and has been approved by the Committee; or

   (c) To be the subject of a judicial, administrative or arbitral lien or judgment, in which case the funds, other financial assets and economic resources may be used to satisfy that lien or judgment provided that the lien or judgment was entered into prior to the date of the present resolution, is not for the benefit of a person or entity designated pursuant to paragraph 17 above, and has been notified by the relevant State or Member States to the Committee;

20. **Decides** that Member States may permit the addition to the accounts frozen pursuant to the provisions of paragraph 17 above of interests or other earnings due on those accounts or payments due under contracts, agreements or obligations that arose prior to the date on which those accounts became subject to the provisions of this resolution, provided that any such interest, other earnings and payments continue to be subject to these provisions and are frozen;

21. **Decides** that the measures in paragraph 17 above shall not prevent a designated person or entity from making payment due under a contract entered into prior to the listing of such a person or entity, provided that the relevant States have determined that the payment is not directly or indirectly received by a person or entity designated pursuant to paragraph 17 above, and after notification by the relevant States to the Committee of the intention to make or receive such payments or to authorize, where appropriate, the unfreezing of funds, other financial assets or economic resources for this purpose, 10 working days prior to such authorization;
Designation criteria

22. **Decides** that the measures contained in paragraphs 15 and 17 shall apply to the individuals and entities designated by the Committee, pursuant to paragraph 24 (b) and (c), respectively;

   (a) Involved in or complicit in ordering, controlling, or otherwise directing, the commission of serious human rights abuses against persons in the Libyan Arab Jamahiriya, including by being involved in or complicit in planning, commanding, ordering or conducting attacks, in violation of international law, including aerial bombardments, on civilian populations and facilities; or

   (b) Acting for or on behalf of or at the direction of individuals or entities identified in subparagraph (a).

23. **Strongly encourages** Member States to submit to the Committee names of individuals who meet the criteria set out in paragraph 22 above;

New Sanctions Committee

24. **Decides** to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council (herein “the Committee”), to undertake to following tasks:

   (a) To monitor implementation of the measures imposed in paragraphs 9, 10, 15, and 17;

   (b) To designate those individuals subject to the measures imposed by paragraphs 15 and to consider requests for exemptions in accordance with paragraph 16 above;

   (c) To designate those individuals subject to the measures imposed by paragraph 17 above and to consider requests for exemptions in accordance with paragraphs 19 and 20 above;

   (d) To establish such guidelines as may be necessary to facilitate the implementation of the measures imposed above;

   (e) To report within thirty days to the Security Council on its work for the first report and thereafter to report as deemed necessary by the Committee;

   (f) To encourage a dialogue between the Committee and interested Member States, in particular those in the region, including by inviting representatives of such States to meet with the Committee to discuss implementation of the measures;

   (g) To seek from all States whatever information it may consider useful regarding the actions taken by them to implement effectively the measures imposed above;

   (h) To examine and take appropriate action on information regarding alleged violations or non-compliance with the measures contained in this resolution;

25. **Calls upon** all Member States to report to the Committee within 120 days of the adoption of this resolution on the steps they have taken with a view to implementing effectively paragraphs 9, 10, 15 and 17 above;
26. **Calls upon** all Member States, working together and acting in cooperation with the Secretary General, to facilitate and support the return of humanitarian agencies and make available humanitarian and related assistance in the Libyan Arab Jamahiriya, and requests the States concerned to keep the Security Council regularly informed on the progress of actions undertaken pursuant to this paragraph, and expresses its readiness to consider taking additional appropriate measures, as necessary, to achieve this;

**Commitment to review**

27. **Affirms** that it shall keep the Libyan authorities’ actions under continuous review and that it shall be prepared to review the appropriateness of the measures contained in this resolution, including the strengthening, modification, suspension or lifting of the measures, as may be needed at any time in light of the Libyan authorities’ compliance with relevant provisions of this resolution;

28. **Decides** to remain actively seized of the matter.
Annex I

Travel ban

1. Al-Baghdadi, Dr Abdulqader Mohammed
   Passport number: B010574. Date of birth: 01/07/1950.
   Head of the Liaison Office of the Revolutionary Committees. Revolutionary Committees involved in violence against demonstrators.

2. Dibri, Abdulqader Yusef
   Date of birth: 1946. Place of birth: Houn, Libya.
   Head of Muammar Qadhafi’s personal security. Responsibility for regime security. History of directing violence against dissidents.

3. Dorda, Abu Zayd Umar

4. Jabir, Major General Abu Bakr Yunis
   Date of birth: 1952. Place of birth: Jalo, Libya.
   Defence Minister. Overall responsibility for actions of armed forces.

5. Matuq, Matuq Mohammed
   Date of birth: 1956. Place of birth: Khoms.
   Secretary for Utilities. Senior member of regime. Involvement with Revolutionary Committees. Past history of involvement in suppression of dissent and violence.

6. Qadhaf Al-dam, Sayyid Mohammed
   Date of birth: 1948. Place of birth: Sirte, Libya.
   Cousin of Muammar Qadhafi. In the 1980s, Sayyid was involved in the dissident assassination campaign and allegedly responsible for several deaths in Europe. He is also thought to have been involved in arms procurement.

7. Qadhafi, Aisha Muammar
   Daughter of Muammar Qadhafi. Closeness of association with regime.

8. Qadhafi, Hannibal Muammar

9. Qadhafi, Khamis Muammar
   Son of Muammar Qadhafi. Closeness of association with regime. Command of military units involved in repression of demonstrations.
10. Qadhafi, Mohammed Muammar  
   Son of Muammar Qadhafi. Closeness of association with regime.

11. Qadhafi, Muammar Mohammed Abu Minyar  
   Date of birth: 1942. Place of birth: Sirte, Libya.  
   Leader of the Revolution, Supreme Commander of Armed Forces.  
   Responsibility for ordering repression of demonstrations, human rights abuses.

12. Qadhafi, Mutassim  

13. Qadhafi, Saadi  
   Commander Special Forces. Son of Muammar Qadhafi. Closeness of association with regime. Command of military units involved in repression of demonstrations.

14. Qadhafi, Saif al-Arab  
   Son of Muammar Qadhafi. Closeness of association with regime.

15. Qadhafi, Saif al-Islam  
   Director, Qadhafi Foundation. Son of Muammar Qadhafi. Closeness of association with regime. Inflammatory public statements encouraging violence against demonstrators.

16. Al-Senussi, Colonel Abdullah  
   Date of birth: 1949. Place of birth: Sudan.  
Annex II

Asset freeze

1. Qadhafi, Aisha Muammar
   Daughter of Muammar Qadhafi. Closeness of association with regime.

2. Qadhafi, Hannibal Muammar

3. Qadhafi, Khamis Muammar
   Son of Muammar Qadhafi. Closeness of association with regime. Command of military units involved in repression of demonstrations.

4. Qadhafi, Muammar Mohammed Abu Minyar
   Date of birth: 1942. Place of birth: Sirte, Libya.

5. Qadhafi, Mutassim

6. Qadhafi, Saif al-Islam
   Director, Qadhafi Foundation. Son of Muammar Qadhafi. Closeness of association with regime. Inflammatory public statements encouraging violence against demonstrators.
Resolution 1973 (2011)

Adopted by the Security Council at its 6498th meeting, on 17 March 2011

The Security Council,

Recalling its resolution 1970 (2011) of 26 February 2011,

Deploring the failure of the Libyan authorities to comply with resolution 1970 (2011),

Expressing grave concern at the deteriorating situation, the escalation of violence, and the heavy civilian casualties,

Reiterating the responsibility of the Libyan authorities to protect the Libyan population and reaffirming that parties to armed conflicts bear the primary responsibility to take all feasible steps to ensure the protection of civilians,

Condemning the gross and systematic violation of human rights, including arbitrary detentions, enforced disappearances, torture and summary executions,

Further condemning acts of violence and intimidation committed by the Libyan authorities against journalists, media professionals and associated personnel and urging these authorities to comply with their obligations under international humanitarian law as outlined in resolution 1738 (2006),

Considering that the widespread and systematic attacks currently taking place in the Libyan Arab Jamahiriya against the civilian population may amount to crimes against humanity,

Recalling paragraph 26 of resolution 1970 (2011) in which the Council expressed its readiness to consider taking additional appropriate measures, as necessary, to facilitate and support the return of humanitarian agencies and make available humanitarian and related assistance in the Libyan Arab Jamahiriya,

Expressing its determination to ensure the protection of civilians and civilian populated areas and the rapid and unimpeded passage of humanitarian assistance and the safety of humanitarian personnel,

Recalling the condemnation by the League of Arab States, the African Union, and the Secretary General of the Organization of the Islamic Conference of the serious violations of human rights and international humanitarian law that have been and are being committed in the Libyan Arab Jamahiriya,
Taking note of the final communiqué of the Organisation of the Islamic Conference of 8 March 2011, and the communiqué of the Peace and Security Council of the African Union of 10 March 2011 which established an ad hoc High Level Committee on Libya,

Taking note also of the decision of the Council of the League of Arab States of 12 March 2011 to call for the imposition of a no-fly zone on Libyan military aviation, and to establish safe areas in places exposed to shelling as a precautionary measure that allows the protection of the Libyan people and foreign nationals residing in the Libyan Arab Jamahiriya,

Taking note further of the Secretary-General’s call on 16 March 2011 for an immediate cease-fire,

Recalling its decision to refer the situation in the Libyan Arab Jamahiriya since 15 February 2011 to the Prosecutor of the International Criminal Court, and stressing that those responsible for or complicit in attacks targeting the civilian population, including aerial and naval attacks, must be held to account,

Reiterating its concern at the plight of refugees and foreign workers forced to flee the violence in the Libyan Arab Jamahiriya, welcoming the response of neighbouring States, in particular Tunisia and Egypt, to address the needs of those refugees and foreign workers, and calling on the international community to support those efforts,

Deploring the continuing use of mercenaries by the Libyan authorities,

Considering that the establishment of a ban on all flights in the airspace of the Libyan Arab Jamahiriya constitutes an important element for the protection of civilians as well as the safety of the delivery of humanitarian assistance and a decisive step for the cessation of hostilities in Libya,

Expressing concern also for the safety of foreign nationals and their rights in the Libyan Arab Jamahiriya,

Welcoming the appointment by the Secretary General of his Special Envoy to Libya, Mr. Abdel-Elah Mohamed Al-Khatib and supporting his efforts to find a sustainable and peaceful solution to the crisis in the Libyan Arab Jamahiriya,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of the Libyan Arab Jamahiriya,

Determining that the situation in the Libyan Arab Jamahiriya continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. Demands the immediate establishment of a cease-fire and a complete end to violence and all attacks against, and abuses of, civilians;

2. Stresses the need to intensify efforts to find a solution to the crisis which responds to the legitimate demands of the Libyan people and notes the decisions of the Secretary-General to send his Special Envoy to Libya and of the Peace and Security Council of the African Union to send its ad hoc High Level Committee to Libya with the aim of facilitating dialogue to lead to the political reforms necessary to find a peaceful and sustainable solution;
3. **Demands** that the Libyan authorities comply with their obligations under international law, including international humanitarian law, human rights and refugee law and take all measures to protect civilians and meet their basic needs, and to ensure the rapid and unimpeded passage of humanitarian assistance;

**Protection of civilians**

4. **Authorizes** Member States that have notified the Secretary-General, acting nationally or through regional organizations or arrangements, and acting in cooperation with the Secretary-General, to take all necessary measures, notwithstanding paragraph 9 of resolution 1970 (2011), to protect civilians and civilian populated areas under threat of attack in the Libyan Arab Jamahiriya, including Benghazi, while excluding a foreign occupation force of any form on any part of Libyan territory, and **requests** the Member States concerned to inform the Secretary-General immediately of the measures they take pursuant to the authorization conferred by this paragraph which shall be immediately reported to the Security Council;

5. **Recognizes** the important role of the League of Arab States in matters relating to the maintenance of international peace and security in the region, and bearing in mind Chapter VIII of the Charter of the United Nations, requests the Member States of the League of Arab States to cooperate with other Member States in the implementation of paragraph 4;

**No Fly Zone**

6. **Decides** to establish a ban on all flights in the airspace of the Libyan Arab Jamahiriya in order to help protect civilians;

7. **Decides further** that the ban imposed by paragraph 6 shall not apply to flights whose sole purpose is humanitarian, such as delivering or facilitating the delivery of assistance, including medical supplies, food, humanitarian workers and related assistance, or evacuating foreign nationals from the Libyan Arab Jamahiriya, nor shall it apply to flights authorised by paragraphs 4 or 8, nor other flights which are deemed necessary by States acting under the authorisation conferred in paragraph 8 to be for the benefit of the Libyan people, and that these flights shall be coordinated with any mechanism established under paragraph 8;

8. **Authorizes** Member States that have notified the Secretary-General and the Secretary-General of the League of Arab States, acting nationally or through regional organizations or arrangements, to take all necessary measures to enforce compliance with the ban on flights imposed by paragraph 6 above, as necessary, and **requests** the States concerned in cooperation with the League of Arab States to coordinate closely with the Secretary General on the measures they are taking to implement this ban, including by establishing an appropriate mechanism for implementing the provisions of paragraphs 6 and 7 above,

9. **Calls upon** all Member States, acting nationally or through regional organizations or arrangements, to provide assistance, including any necessary over-flight approvals, for the purposes of implementing paragraphs 4, 6, 7 and 8 above;

10. **Requests** the Member States concerned to coordinate closely with each other and the Secretary-General on the measures they are taking to implement
paragraphs 4, 6, 7 and 8 above, including practical measures for the monitoring and approval of authorised humanitarian or evacuation flights;

11. **Decides** that the Member States concerned shall inform the Secretary-General and the Secretary-General of the League of Arab States immediately of measures taken in exercise of the authority conferred by paragraph 8 above, including to supply a concept of operations;

12. **Requests** the Secretary-General to inform the Council immediately of any actions taken by the Member States concerned in exercise of the authority conferred by paragraph 8 above and to report to the Council within 7 days and every month thereafter on the implementation of this resolution, including information on any violations of the flight ban imposed by paragraph 6 above;

### Enforcement of the arms embargo

13. **Decides that** paragraph 11 of resolution 1970 (2011) shall be replaced by the following paragraph: “Calls upon all Member States, in particular States of the region, acting nationally or through regional organisations or arrangements, in order to ensure strict implementation of the arms embargo established by paragraphs 9 and 10 of resolution 1970 (2011), to inspect in their territory, including seaports and airports, and on the high seas, vessels and aircraft bound to or from the Libyan Arab Jamahiriya, if the State concerned has information that provides reasonable grounds to believe that the cargo contains items the supply, sale, transfer or export of which is prohibited by paragraphs 9 or 10 of resolution 1970 (2011) as modified by this resolution, including the provision of armed mercenary personnel, calls upon all flag States of such vessels and aircraft to cooperate with such inspections and authorises Member States to use all measures commensurate to the specific circumstances to carry out such inspections”;

14. **Requests** Member States which are taking action under paragraph 13 above on the high seas to coordinate closely with each other and the Secretary-General and **further requests** the States concerned to inform the Secretary-General and the Committee established pursuant to paragraph 24 of resolution 1970 (2011) (“the Committee”) immediately of measures taken in the exercise of the authority conferred by paragraph 13 above;

15. **Requires** any Member State whether acting nationally or through regional organisations or arrangements, when it undertakes an inspection pursuant to paragraph 13 above, to submit promptly an initial written report to the Committee containing, in particular, explanation of the grounds for the inspection, the results of such inspection, and whether or not cooperation was provided, and, if prohibited items for transfer are found, further requires such Member States to submit to the Committee, at a later stage, a subsequent written report containing relevant details on the inspection, seizure, and disposal, and relevant details of the transfer, including a description of the items, their origin and intended destination, if this information is not in the initial report;

16. **Deplores** the continuing flows of mercenaries into the Libyan Arab Jamahiriya and calls upon all Member States to comply strictly with their obligations under paragraph 9 of resolution 1970 (2011) to prevent the provision of armed mercenary personnel to the Libyan Arab Jamahiriya;
Ban on flights

17. Decides that all States shall deny permission to any aircraft registered in the Libyan Arab Jamahiriya or owned or operated by Libyan nationals or companies to take off from, land in or overfly their territory unless the particular flight has been approved in advance by the Committee, or in the case of an emergency landing;

18. Decides that all States shall deny permission to any aircraft to take off from, land in or overfly their territory, if they have information that provides reasonable grounds to believe that the aircraft contains items the supply, sale, transfer, or export of which is prohibited by paragraphs 9 and 10 of resolution 1970 (2011) as modified by this resolution, including the provision of armed mercenary personnel, except in the case of an emergency landing;

Asset freeze

19. Decides that the asset freeze imposed by paragraph 17, 19, 20 and 21 of resolution 1970 (2011) shall apply to all funds, other financial assets and economic resources which are on their territories, which are owned or controlled, directly or indirectly, by the Libyan authorities, as designated by the Committee, or by individuals or entities acting on their behalf or at their direction, or by entities owned or controlled by them, as designated by the Committee, and decides further that all States shall ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any individuals or entities within their territories, to or for the benefit of the Libyan authorities, as designated by the Committee, or individuals or entities acting on their behalf or at their direction, or entities owned or controlled by them, as designated by the Committee, and directs the Committee to designate such Libyan authorities, individuals or entities within 30 days of the date of the adoption of this resolution and as appropriate thereafter;

20. Affirms its determination to ensure that assets frozen pursuant to paragraph 17 of resolution 1970 (2011) shall, at a later stage, as soon as possible be made available to and for the benefit of the people of the Libyan Arab Jamahiriya;

21. Decides that all States shall require their nationals, persons subject to their jurisdiction and firms incorporated in their territory or subject to their jurisdiction to exercise vigilance when doing business with entities incorporated in the Libyan Arab Jamahiriya or subject to its jurisdiction, and any individuals or entities acting on their behalf or at their direction, and entities owned or controlled by them, if the States have information that provides reasonable grounds to believe that such business could contribute to violence and use of force against civilians;

Designations

22. Decides that the individuals listed in Annex I shall be subject to the travel restrictions imposed in paragraphs 15 and 16 of resolution 1970 (2011), and decides further that the individuals and entities listed in Annex II shall be subject to the asset freeze imposed in paragraphs 17, 19, 20 and 21 of resolution 1970 (2011);

23. Decides that the measures specified in paragraphs 15, 16, 17, 19, 20 and 21 of resolution 1970 (2011) shall apply also to individuals and entities determined by the Council or the Committee to have violated the provisions of resolution 1970
(2011), particularly paragraphs 9 and 10 thereof, or to have assisted others in doing so;

Panel of Experts

24. Requests the Secretary-General to create for an initial period of one year, in consultation with the Committee, a group of up to eight experts ("Panel of Experts"), under the direction of the Committee to carry out the following tasks:

(a) Assist the Committee in carrying out its mandate as specified in paragraph 24 of resolution 1970 (2011) and this resolution;

(b) Gather, examine and analyse information from States, relevant United Nations bodies, regional organisations and other interested parties regarding the implementation of the measures decided in resolution 1970 (2011) and this resolution, in particular incidents of non-compliance;

(c) Make recommendations on actions the Council, or the Committee or State, may consider to improve implementation of the relevant measures;

(d) Provide to the Council an interim report on its work no later than 90 days after the Panel’s appointment, and a final report to the Council no later than 30 days prior to the termination of its mandate with its findings and recommendations;

25. Urges all States, relevant United Nations bodies and other interested parties, to cooperate fully with the Committee and the Panel of Experts, in particular by supplying any information at their disposal on the implementation of the measures decided in resolution 1970 (2011) and this resolution, in particular incidents of non-compliance;

26. Decides that the mandate of the Committee as set out in paragraph 24 of resolution 1970 (2011) shall also apply to the measures decided in this resolution;

27. Decides that all States, including the Libyan Arab Jamahiriya, shall take the necessary measures to ensure that no claim shall lie at the instance of the Libyan authorities, or of any person or body in the Libyan Arab Jamahiriya, or of any person claiming through or for the benefit of any such person or body, in connection with any contract or other transaction where its performance was affected by reason of the measures taken by the Security Council in resolution 1970 (2011), this resolution and related resolutions;

28. Reaffirms its intention to keep the actions of the Libyan authorities under continuous review and underlines its readiness to review at any time the measures imposed by this resolution and resolution 1970 (2011), including by strengthening, suspending or lifting those measures, as appropriate, based on compliance by the Libyan authorities with this resolution and resolution 1970 (2011).

29. Decides to remain actively seized of the matter.
### Libya: UNSCR proposed designations

#### Annex I: Travel Ban

<table>
<thead>
<tr>
<th>Number</th>
<th>Name</th>
<th>Justification</th>
<th>Identifiers</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>QUREN SALIH QUREN AL QADHAFI</td>
<td>Libyan Ambassador to Chad. Has left Chad for Sabha. Involved directly in recruiting and coordinating mercenaries for the regime.</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Colonel AMID HUSAIN AL KUNI</td>
<td>Governor of Ghat (South Libya). Directly involved in recruiting mercenaries.</td>
<td></td>
</tr>
</tbody>
</table>

#### Annex II: Asset Freeze

<table>
<thead>
<tr>
<th>Number</th>
<th>Name</th>
<th>Justification</th>
<th>Identifiers</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Dorda, Abu Zayd Umar</td>
<td>Position: Director, External Security Organisation</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Jabir, Major General Abu Bakr Yunis</td>
<td>Position: Defence Minister</td>
<td>Title: Major General DOB: --/--/1952. POB: Jalo, Libya</td>
</tr>
<tr>
<td>3</td>
<td>Matuq, Matuq Mohammed</td>
<td>Position: Secretary for Utilities</td>
<td>DOB: --/--/1956. POB: Khoms</td>
</tr>
<tr>
<td>4</td>
<td>Qadhafi, Mohammed Muammar</td>
<td>Son of Muammar Qadhafi. Closeness of association with regime</td>
<td>DOB: --/--/1970. POB: Tripoli, Libya</td>
</tr>
<tr>
<td>6</td>
<td>Qadhafi, Saif al-Arab</td>
<td>Son of Muammar Qadhafi. Closeness of association with regime</td>
<td>DOB: --/--/1982. POB: Tripoli, Libya</td>
</tr>
<tr>
<td>7</td>
<td>Al-Senussi, Colonel Abdullah</td>
<td>Position: Director Military Intelligence</td>
<td>Title: Colonel DOB: --/--/1949. POB: Sudan</td>
</tr>
</tbody>
</table>

#### Entities

<table>
<thead>
<tr>
<th>Number</th>
<th>Entity</th>
<th>Justification</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Central Bank of Libya</td>
<td>Under control of Muammar Qadhafi and his family, and potential source of funding for his regime.</td>
</tr>
<tr>
<td>Number</td>
<td>Name</td>
<td>Justification</td>
</tr>
<tr>
<td>--------</td>
<td>-------------------------------------------</td>
<td>-------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>2</td>
<td>Libyan Investment Authority</td>
<td>Under control of Muammar Qadhafi and his family, and potential source of funding for his regime.</td>
</tr>
<tr>
<td>3</td>
<td>Libyan Foreign Bank</td>
<td>Under control of Muammar Qadhafi and his family and a potential source of funding for his regime.</td>
</tr>
<tr>
<td>4</td>
<td>Libyan Africa Investment Portfolio</td>
<td>Under control of Muammar Qadhafi and his family, and potential source of funding for his regime.</td>
</tr>
<tr>
<td>5</td>
<td>Libyan National Oil Corporation</td>
<td>Under control of Muammar Qadhafi and his family, and potential source of funding for his regime.</td>
</tr>
</tbody>
</table>