

Resolution 2701 (2023)

**Adopted by the Security Council at its 9445th meeting, on
19 October 2023**

The Security Council,

Recalling the arms embargo, travel ban, assets freeze and measures concerning illicit oil exports which were imposed and modified by resolutions 1970 (2011) and 2146 (2014), and modified by subsequent resolutions including resolutions 2441 (2018), 2509 (2020), 2526 (2020), 2571 (2021), and 2664 (2022), and that the mandate of the Panel of Experts established by paragraph 24 of resolution 1973 (2011) and modified by subsequent resolutions was extended until 15 November 2023 by resolution 2644 (2022), and also recalling resolution 2616 (2021),

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Libya,

Reaffirming its strong commitment to an inclusive, Libyan-led and Libyan-owned political process, facilitated by the United Nations and supported by the international community, which builds on progress achieved in negotiations thus far, and enables the holding of free, fair, transparent and inclusive national presidential and parliamentary elections across Libya as soon as possible,

Renewing its request that all Member States support fully the efforts of the United Nations, and its call on Member States to use their influence with the parties to implement and uphold the ceasefire and support the Libyan-led and Libyan owned inclusive political process,

Expressing serious concern about violent clashes in Tripoli on 14 August 2023 and the overall fragility of the security situation in Libya, and *underlining* the need for progress on the political and security tracks, including by continuing the efforts of the 5+5 Joint Military Commission towards reunification of the Libyan military and security institutions,

Calling for Member States to implement fully the existing measures and to report violations to the United Nations Sanctions Committee, and *recalling* in that regard that individuals or entities engaging in, or providing support for, acts that threaten the peace, stability or security of Libya may be designated for targeted sanctions,

Reaffirming that all parties must comply with their obligations under international humanitarian law and international human rights law, as applicable, and *emphasising* the importance of holding accountable those responsible for violations

or abuses of human rights or violations of international humanitarian law, including those involved in attacks targeting civilians,

Stressing that the measures imposed by this resolution are not intended to have adverse humanitarian consequences for the civilian population of Libya, and recalling resolution 2664 (2022),

Expressing its concern that the illicit export of petroleum, including crude oil and refined petroleum products, from Libya undermines the Government of Libya and National Oil Corporation and poses a threat to the peace, security and stability of Libya, *noting with concern* the reports of the illicit import of petroleum, including crude oil and refined petroleum products to Libya, and *emphasising* the crucial role of the focal point appointed pursuant to resolution 2146 (2014) in safeguarding Libyan resources for the benefit of its people,

Recalling that providing support for armed groups or criminal networks through the illicit exploitation of crude oil or any other natural resources in Libya may constitute acts that threaten the peace, stability and security of Libya,

Further reiterating its concern about activities which could damage the integrity and unity of Libyan State financial institutions and the National Oil Corporation, and *stressing* the need for the unification of Libya's institutions, and, in this regard, *taking note* of the announcement to further the unification of the Central Bank of Libya by its Governor and Deputy Governor on 20 August 2023,

Noting the Libyan Investment Authority's (LIA) increasing cooperation with the Panel of Experts and *calling* on the LIA to continue its effort to offer an accurate consolidated financial statement in accordance with international standards and to provide financial statements of its subsidiaries,

Recalling that international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982, sets out the legal framework applicable to activities in the oceans and seas,

Further recalling resolutions 2292 (2016), 2357 (2017), 2420 (2018), 2473 (2019), 2526 (2020), 2578 (2021) 2635 (2022) and 2684 (2023) which in relation to the implementation of the arms embargo authorise, for the period of time specified by those resolutions, the inspection on the high seas off the coast of Libya of vessels bound to or from Libya believed to be carrying arms or related materiel in violation of relevant Security Council resolutions, and the seizure and disposal of such items provided that Member States make good faith efforts to first obtain the consent of the vessel's flag State prior to any inspections while acting in accordance with those resolutions,

Determining that the situation in Libya continues to constitute a threat to international peace and security,

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

Prevention of Illicit Exports of Petroleum, including Crude Oil and Refined Petroleum Products

1. *Condemns* attempts to illicitly export petroleum, including crude oil and refined petroleum products, from Libya, including by parallel institutions which are not acting under the authority of the Government of Libya;

2. *Decides* to extend until 1 February 2025 the authorisations and the measures in resolution 2146 (2014), as amended by paragraph 2 of resolutions 2441 (2018) and 2509 (2020);

3. *Requests* the Government of Libya's focal point responsible for communication with the Committee with respect to the measures in resolution 2146 (2014) to inform the Committee of any vessels transporting petroleum, including crude oil and refined petroleum products, illicitly exported from Libya, *urges* the Government of Libya to work closely with the National Oil Corporation in that regard, and to provide the Committee with regular updates on ports, oil fields, and installations that are under its control, and to inform the Committee about the mechanism used to certify legal exports of petroleum, including crude oil and refined petroleum products, and *requests* that the Panel of Experts closely follow and report to the Committee any information relating to the illicit export from or illicit import to Libya of petroleum, including crude oil and refined petroleum products;

4. *Calls* on the Government of Libya, on the basis of any information regarding such exports or attempted exports, to expeditiously contact the concerned vessel's flag State, in the first instance, to resolve the issue, and *directs* the Committee to immediately inform all relevant Member States about notifications to the Committee from the Government of Libya's focal point regarding vessels transporting petroleum, including crude oil and refined petroleum products, illicitly exported from Libya;

Arms Embargo

5. *Expresses* serious concern over continued violations of the arms embargo, *demands* full compliance by all Member States with the arms embargo, *calls* on all Member States not to intervene in the conflict or take measures that exacerbate the conflict and *reiterates* that individuals and entities determined by the Committee to have violated the provisions of resolution 1970 (2011), including the arms embargo, or assisted others in doing so, are subject to designation;

6. *Reiterates* paragraphs 9 (a), (b) and (c) of resolution 1970 (2011), paragraph 13 of resolution 2009 (2011), paragraphs 9 and 10 of resolution 2095 (2013), and paragraph 8 of resolution 2174 (2014), which decided that the measures imposed by paragraph 9 of resolution 1970 (2011), no longer applied to the sale, supply or transfer to Libya of:

(a) protective clothing, including flak jackets and military helmets, temporarily exported to Libya by United Nations personnel, representatives of the media and humanitarian and development works and associated personnel, for their personal use only;

(b) 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 works and associated personnel, as 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;

(c) non-lethal military equipment intended solely for humanitarian or protective use, and the provision of any related technical assistance or training;

(d) 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;

(e) arms and related materiel of all types, including technical assistance, training, financial and other assistance, as approved in advance by the Committee;

7. *Expresses* concern about the high terrorism risk in Libya, *takes note of* efforts to reduce the risk of terrorism in Libya, and, in this regard, *recalls* paragraphs 3 and 7 of resolution 2214 (2015);

8. *Calls* on all parties to implement the 23 October 2020 ceasefire agreement in full and *urges* Member States to respect and support the full implementation of the agreement, including through the withdrawal of all foreign forces, foreign fighters and mercenaries from Libya without further delay;

9. *Calls* upon the Government of Libya to improve the implementation of the arms embargo, including at all entry points, as soon as it exercises oversight and calls upon all Member States to cooperate in such efforts, *recalls* paragraph 6 of resolution 2278 (2016) and paragraph 6 of resolution 2362 (2017), and *requests* the Government of Libya, including through its focal point appointed pursuant to paragraph 6 of resolution 2278 (2016), as previously requested by the Committee, to provide updated information, relevant to the Committee's work, on the structure of the security forces under its control and other relevant information listed in paragraph 6 of resolution 2278 (2016);

10. *Expresses* its readiness to consider the sale, supply or transfer to Libya of military equipment, and the provision of technical assistance, training or financial assistance by Member States, for the reunified and joint military units, under the auspices of the 5+5 Joint Military Commission (JMC) and the two Chiefs of Staff, once their formation is complete, as an initial step in the overall reunification of Libya's military and security institutions;

Travel Ban and Asset Freeze

11. *Calls* on Member States, particularly those in which designated individuals and entities are based, as well as those in which their assets frozen under the measures are suspected to be present, to report to the Committee on the actions they have taken to implement effectively the travel ban and asset freeze measures in relation to all individuals on the sanctions list;

12. *Reiterates* that all States shall take the necessary measures to prevent entry into or transit through their territories of all persons designated by the Committee, in accordance with paragraphs 15 and 16 of 1970, as modified by paragraphs 11 of resolution 2213 (2015), 11 of resolution 2362 (2017) and 11 of resolution 2441 (2018) and *calls* upon the Government of Libya to enhance cooperation and information sharing with other States in this regard;

13. *Takes note* of requests to de-list a number of designated individuals and *underscores* the importance of the Committee considering these requests, as appropriate and in line with resolution 1730 (2006);

14. *Reaffirms* its intention to ensure that assets frozen pursuant to paragraph 17 of resolution 1970 (2011) shall at a later stage be made available to and for the benefit of the Libyan people, and *calls upon* all relevant Member States to protect frozen assets for the future benefit of the Libyan people, including by preventing misuse and misappropriation of frozen assets;

15. *Takes note* of the letter circulated as document S/2016/275, and the recent request from the Chairman of the LIA Board of Directors regarding the preservation of frozen LIA assets, *acknowledges* the intention of the LIA to develop an investment plan, *affirms* the Security Council's readiness to consider changes, when appropriate, to the asset freeze at the request of the Government of Libya, including allowing the LIA, which is under a specific asset freeze measure, to reinvest frozen liquid assets for the purpose of preserving their value and benefiting the Libyan people at a later stage, taking into consideration the LIA's investment plan, reporting and recommendations by the Panel of Experts, and meaningful progress made through an inclusive Libyan-led and Libyan-owned political process, and *requests* the Panel of Experts to provide recommendations in their final report, requested in paragraph 18

of this resolution, on possible actions that could enable the reinvestment of the LIA's frozen assets for the purpose of preserving their value and benefiting the Libyan people at a later stage;

16. *Recalls* resolution 2174 (2014) which decided that the measures set out in resolution 1970 (2011), as modified by subsequent resolutions, shall also apply to individuals and entities determined by the Committee to be engaging in or providing support for other acts that threaten the peace, stability or security of Libya, or obstruct or undermine the successful completion of its political transition and underlines that such acts could include obstructing or undermining elections as planned for in the Libyan Political Dialogue Forum roadmap;

Panel of Experts

17. *Decides* to extend until 15 February 2025 the mandate of the Panel of Experts (the Panel), established by paragraph 24 of resolution 1973 (2011) and modified by resolutions 2040 (2012), 2146 (2014), 2174 (2014), 2213 (2015), 2441 (2018), 2509 (2020) 2571 (2021) and 2644 (2022), and decides that the Panel's mandated tasks shall remain as defined in resolution 2213 (2015) and shall also apply with respect to the measures updated in this resolution, and *expresses* its intent to review the mandate and take appropriate action regarding further extension no later than 15 January 2025;

18. *Decides* that the Panel shall provide to the Council an interim report on its work no later than 15 June 2024, and a final report to the Council, after discussion with the Committee, no later than 15 December 2024 with its findings and recommendations;

19. *Urges* all States, relevant United Nations bodies, including the United Nations Support Mission in Libya (UNSMIL), and other interested parties, 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), 1973 (2011), 2146 (2014) and 2174 (2014), and modified in resolutions 2009 (2011), 2040 (2012), 2095 (2013), 2144 (2014), 2213 (2015), 2278 (2016), 2292 (2016), 2357 (2017), 2362 (2017), 2420 (2018), 2441 (2018), 2473 (2019), 2509 (2020), 2526 (2020), 2571 (2021), and 2644 (2022), in particular incidents of non-compliance, and calls on UNSMIL and the Government of Libya to support Panel investigatory work inside Libya, including by sharing information, facilitating transit and granting access to weapons storage facilities, as appropriate;

20. *Calls* upon all parties and all States to ensure the safety of the Panel's members, and *further calls* upon all parties and all States, including Libya and countries of the region, to provide unhindered and immediate access, in particular to persons, documents and sites the Panel deems relevant to the execution of its mandate;

21. *Affirms* its readiness to review the appropriateness of the measures contained in this resolution, including the strengthening, modification, suspension or lifting of the measures, and its readiness to review the mandate of the Panel, as may be needed at any time in light of developments in Libya;

22. *Decides* to remain actively seized of the matter.