



STOCKHOLM INTERNATIONAL PEACE RESEARCH INSTITUTE

UN arms embargo on Libya

The UN Security Council has imposed an arms embargo on Libya since February 2011 relating to the supply of arms and military equipment to and from Libya. Since September 2011 supplies of arms to the new Libyan National Transitional Council (NTC) have been allowed, if approved by the Sanctions Committee, as well as temporary exports for the use of UN personnel, the media and humanitarian and development workers.

On 26 February 2011 the United Nations Security Council (UNSC) established unanimously in Security Council Resolution 1970 sanctions against Libya including an open-ended embargo on the supply of arms and military equipment to and from Libya. The sanctions were imposed in reaction to gross and systematic violation of human rights, including the repression of peaceful demonstrators by the Libyan government in the weeks preceding the sanctions.

On 17 March 2011 Security Council Resolution 1973, not unanimously adopted, imposed a no-fly zone over Libya. It also expanded a call upon member states to inspect suspicious cargo in their territory, to also inspect suspicious cargo on the high seas and established a panel of experts to monitor the embargo.

Whereas resolution 1973 stressed the need to enforce the arms embargo it also authorizes Member States that have notified the Secretary-General and acting in cooperation with the Secretary-General, to take all necessary measures to protect civilians under threat of attack in Libya, notwithstanding paragraph 9 of resolution 1970 which imposed the arms embargo. This formulation, in particular the use of the term 'notwithstanding', has been used to argue that resolution 1973 could allow the supply of arms to actors in Libya defending themselves against Government violence as part of efforts to protect civilians.

By September 2011 Libyan opposition forces had taken control of most of Libya including the capital. On 16 September 2011 the UN General Assembly accepted the National Transitional Council (NTC) as the new Libyan Government and the representative of Libya in the United Nations. On the same day UN Security Council Resolution 2009 (2011) was passed unanimously. It allowed the transfer of arms to the new Libyan authorities under the condition that such transfers would be notified to the Sanctions Committee in advance and in the absence of a negative decision by the Committee within five working days of such a notification. It also allowed transfers of 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.

In March 2013 Security Council Resolution 2095 lifted the requirement of notification to the Sanctions Committee in the case of supplies of non-lethal military equipment for humanitarian

protective use in Libya and the supply of non-lethal military equipment and the provision of technical and financial assistance and training to the Libyan government.

In August 2014, after violence had flared up in Libya, Security Council Resolution 2174 required that any supplies of arms and related materiel to Libya must be approved in advance by the Sanctions Committee. This appears to be a slight change from the previous requirement that allowed arms supplies in the absence of a negative decision by the Sanctions Committee.

Last updated on 29 August 2014