



## SNAPSHOT

### LIBYA SANCTIONS FRAMEWORK

#### Why are sanctions imposed?

In 2011, the United Nations Security Council (UNSC) imposed sanctions in relation to Libya in response to the violence and use of armed force against civilians in Libya and the systemic violations of human rights by the former Qadhafi framework. Several subsequent UNSC resolutions have amended and renewed the sanctions. Australia implements the UNSC sanctions concerning Libya by incorporating them into Australian law.

Australia also imposes autonomous sanctions in relation to Libya, which complement the UNSC sanctions framework.

#### What is prohibited by the Libya sanctions framework?

The Libya sanctions framework imposes the following sanctions measures:

Measure	UNSC	Autonomous
restrictions on supplying arms and related services (an arms embargo)	✓	-
restrictions on the import or purchase of arms	✓	-
restrictions on providing services in relation to designated vessels	✓	-
restrictions on dealing with the assets of designated persons or entities	✓	✓
travel bans on listed persons	✓	✓

#### Restrictions on supplying arms or related matériel

The UNSC sanctions framework imposes an arms embargo. It is prohibited to:

- directly or indirectly supply, sell or transfer arms or related matériel to Libya

Arms or related matériel includes, but is not limited to, weapons, ammunition, military vehicles and equipment, and spare parts and accessories for any of those things. It also includes paramilitary equipment. While each case will be considered individually, goods on the [Defence and Strategic Goods List](#) are likely to be considered arms or related matériel. Depending on the context, end user and end use, other goods may also be considered arms or related matériel.

#### Restrictions on providing certain services

To complement the restrictions on supplying arms, providing services that relate to those sanctioned goods is also restricted. It is prohibited to:

- provide technical, financial or other assistance, or training, to Libya (directly or indirectly) if those services relate to:
  - military activities
  - the supply, maintenance or use of arms or related matériel, or
  - the provision of armed mercenary personnel (whether or not originating in Australia).

#### Restrictions on the import or procurement of arms

It is prohibited to procure arms or related matériel from Libya or a person or entity in Libya.

## Restrictions on providing services in relation to designated vessels

The UNSC's Libya Sanctions Committee has the power to designate vessels for the purposes of the Libya sanctions framework to prohibit transactions with crude oil illicitly exported from Libya aboard a designated vessel and bunkering services (the provision of fuel, supplies or other servicing) for a designated vessel. There are currently no designated vessels.

## Restrictions on dealing with designated persons or entities

The UNSC (through its resolutions and its Libya Sanctions Committee) has designated persons and entities associated with the former Qadhafi regime. The UNSC designations are supplemented by Australian autonomous sanctions under which the Minister for Foreign Affairs has designated additional persons and entities also associated with the former Qadhafi regime. Subject to certain exceptions relating to the Libyan Investment Authority and the Libyan Africa Investment Portfolio, it is prohibited to:

- directly or indirectly make an asset available to (or for the benefit of) a designated person or entity
- use or deal with an asset, or allow or facilitate another person to use or deal with an asset, if the asset is owned or controlled by a designated person or entity (the assets are 'frozen' and cannot be used or dealt with).

An 'asset' includes an asset or property of any kind, whether tangible or intangible, movable or immovable.

Go to the [Consolidated List](#) to search the names of designated persons and entities.

If you become aware that you are holding an asset of a designated person or entity, you are required to freeze (hold) that asset and notify the AFP as soon as possible.

## Travel bans

All persons designated for the Libya sanctions framework are prohibited from traveling to or entering Australia.

## Who must comply with sanctions?

Australian sanction laws apply to activities in Australia and to activities undertaken overseas by Australian citizens and Australian-registered bodies corporate. In some circumstances, it may be possible to obtain a permit from the Minister for Foreign Affairs to engage in an activity that would otherwise be prohibited by a sanctions measure. Information on planning an activity and submitting an application for a sanctions permit is available on the DFAT website. It is a serious criminal offence to contravene a sanctions measure (or a condition of a sanctions permit). The penalties include up to ten years in prison and substantial fines.

## Relevant legislation

The relevant legislation for the Lebanon sanctions framework includes the following:

- [Charter of the United Nations Act 1945](#)
- [Charter of the United Nations \(Sanctions – Lebanon\) Regulations 2008](#)
- [Charter of the United Nations \(Dealing with Assets\) Regulations 2008](#)
- [Customs \(Prohibited Exports\) Regulations 1958](#)
- [Migration \(United Nations Security Council Resolutions\) Regulations 2007](#)

## Where can I get more information?

[Australia and sanctions](#) webpage.

Enquiries can be made to DFAT by emailing [sanctions@dfat.gov.au](mailto:sanctions@dfat.gov.au)

DFAT maintains a [mailing list](#) for people interested in receiving updates on Australian sanctions laws.

**This document provides a summary only of relevant sanctions laws. It should not be relied upon as a substitute for legal advice. It is your responsibility to ensure you do not contravene sanctions law, including by obtaining your own legal advice.**