



SNAPSHOT

LIBYA SANCTIONS REGIME

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 regime. 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 regime.

What is prohibited by the Libya sanctions regime?

The Libya sanctions regime 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 designated persons or entities	✓	✓
travel bans on designated persons	✓	✓

Restrictions on supplying arms and related services

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

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

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 the import or purchase of arms

It is prohibited to purchase 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 regime to prohibit transactions with crude oil illicitly exported from Libya aboard a designated vessel and bunking 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. The [Consolidated List](#) available on DFAT's website includes the names of all designated persons and entities.

Travel bans

All persons designated for the Libya sanctions regime are prohibited from travelling 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 Libya sanctions regime includes the following:

- *Charter of the United Nations Act 1945*
- *Charter of the United Nations (Dealing with Assets) Regulations 2008*
- *Charter of the United Nations (Sanctions – Libya) Regulations 2011*
- *Customs (Prohibited Exports) Regulations 1958*
- *Customs (Prohibited Imports) Regulations 1956*
- *Autonomous Sanctions Act 2011*
- *Autonomous Sanctions Regulations 2011*
- *Autonomous Sanctions (Designated Persons and Entities and Declared Persons – Libya) List 2012*
- *Migration (United Nations Security Council Resolutions) Regulations 2007*
- *Migration Regulations 1994*

Where can I get more information?

More information on Australia's sanctions can be found on DFAT's website: <https://dfat.gov.au/international-relations/security/sanctions/Pages/sanctions.aspx>.

Enquiries can be made to DFAT by emailing sanctions@dfat.gov.au.

DFAT maintains a mailing list for people interested in receiving updates on Australian sanctions laws. You can subscribe to this list via the [DFAT website](#).

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.