

S.I. 97/2014

**INTERNATIONAL OBLIGATIONS  
(ECONOMIC AND ANCILLIARY MEASURES)  
(LIBYA) ORDER**

*[Commencement 17th December, 2014]*

Citation.

**1.** This Order may be cited as the International Obligations (Economic and Ancillary Measures) (Libya) Order.

Interpretation.

**2.** In this Order —

“armed mercenary personnel” means any person who —

- (a) is specially recruited locally or abroad to use arms and related materiel in Libya;
- (b) uses arms and related materiel in Libya and is motivated essentially by the desire for private gain;
- (c) is not a member of the Libyan armed forces; and
- (d) has not been sent to Libya by a state on official duty as a member of that state’s armed forces;

“arms and related materiel” means any type of weapon, ammunition, military vehicle or military or paramilitary equipment, and the spare parts for those weapons and equipment;

“Committee” means the Committee established under paragraph 24 of Security Council Resolution 1970 (2011);

“Libya” means the Libyan Arab Jamahiriya; and

“technical assistance” means any form of assistance, such as providing instruction, training, consulting services or technical advice or transferring know-how or technical data.

Prohibition on supply, sale or transfer of equipment, goods and technology, etc.

**3.** Subject to paragraph 5, no person in The Bahamas and no Bahamian outside The Bahamas shall directly or indirectly —

- (a) supply, sell or transfer to Libya by way of a Bahamian registered vessel or aircraft —
  - (i) arms and related materiel, in particular man-portable surface-to-air missiles,

(ii) technical assistance, financial assistance or other assistance related to military activities, including the provision of armed mercenary personnel, or the provision, manufacture, maintenance or use of arms and related materiel; and

(b) import or procure from any person in Libya or any national of Libya, by way of a Bahamian registered vessel or aircraft, arms and related materiel.

4. (1) Subject to paragraph 5, no funds, other financial assets and economic resources held in banks or financial institutions licensed in The Bahamas that are owned or controlled, directly or indirectly, by —

Freezing of funds, etc. of designated persons and entities.

(a) persons or entities listed in the Schedule; and

(b) any additional person or entity designated by the Committee,

shall be made available to a person or entity mentioned in subparagraphs (a) and (b), or to a person or entity acting on behalf of, or at the direction of a person or entity mentioned in subparagraphs (a) and (b).

(2) Notwithstanding paragraph (1), funds, other financial assets and economic resources held in banks or financial institutions licensed in The Bahamas that are owned or controlled, directly or indirectly, by the Central Bank of Libya, the Libyan Arab Foreign Bank (LAFB), the Libyan Investment Authority (LIA), and the Libyan Africa Investment Portfolio (LAIP) frozen on the 16th day of September, 2011 pursuant to measures imposed in paragraph 17 of Security Council Resolution 1970 (2011) or paragraph 19 of Security Council Resolution 1973 (2011) shall remain frozen unless subject to an exemption as set out in paragraphs 19, 20 or 21 of Security Council Resolution 1970 (2011) or paragraph (5).

5. This Order does not prohibit —

Exemption.

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

(b) protective clothing, including flak jackets and military helmets, temporarily exported to Libya by United Nations personnel, representatives of the media and humanitarian and development

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- workers and associated personnel, for their personal use only;
- (c) the supply, sale or transfer to Libya of—
    - (i) arms and related materiel of all types, including technical assistance, training, financial and other assistance, intended solely for security or disarmament assistance to the Libyan authorities,
    - (ii) 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;
  - (d) other sales or supply of arms and related materiel, or provision of assistance or personnel, as approved in advance by the Committee; or
  - (e) persons or entities listed in the Schedule from accessing funds, other financial assets and economic resources as may be determined by the Minister, based on the conditions specified —
    - (i) in paragraph 19 of Security Council Resolution 1970 (2011), to be —
      - (aa) necessary for basic and extraordinary expenses and activities,
      - (bb) the subject of judicial, administrative, or arbitral lien or judgment;
    - (ii) in paragraph 16 of Security Council Resolution 2009 (2011).

**6. Repeals S.I. 41/2011.**

*(The Schedule originally Gazetted and mentioned in paragraph 4(1)(a) and 5(e) is omitted in this revised edition.)*