



# Security Council

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## Implementation of resolution 2684 (2023)

### Report of the Secretary-General

#### I. Introduction

1. The present report is the second of two reports requested by the Security Council on the implementation of resolution 2684 (2023). The first report was issued in November 2023 (S/2023/936). In its resolution 2684 (2023), the Council extended for a seventh time the authorizations for the inspection of vessels on the high seas off the coast of Libya, initially established in resolution 2292 (2016), in support of the implementation of the arms embargo in relation to Libya. The present report was prepared after seeking inputs from all Member States, including Libya. In addition, consultations were held with regional organizations, the Panel of Experts on Libya established pursuant to resolution 1973 (2011) and the United Nations system, including the United Nations Support Mission in Libya (UNSMIL). The report covers the period from 1 November 2023 to 14 April 2024.<sup>1</sup>

2. The arms embargo was established in resolution 1970 (2011) and modified in subsequent resolutions. By its resolution 2292 (2016), the Security Council authorized Member States, acting nationally or through regional organizations, with appropriate consultations with the Libyan authorities, to inspect, on the high seas off the coast of Libya, vessels bound to or from Libya that they had reasonable grounds to believe were carrying prohibited arms or related materiel to or from Libya and, upon discovery of prohibited items, to seize and dispose of such items and to collect evidence directly related to the carriage of such items during the inspections. In its resolution 1970 (2011), the Council had called upon all States to conduct inspections of cargo to and from Libya in their territory, including at seaports and airports, and had authorized the seizure and disposal of any prohibited items discovered during the inspections.

3. In the first report on the implementation of resolution 2684 (2023), the Secretary-General noted the latest findings on violations of the arms embargo reported by the Panel of Experts on Libya (see S/2023/673 and S/2023/673/Corr.1). The Secretary-General also noted that the Security Council, in its resolutions 2701 (2023) and 2702 (2023), had once again expressed serious concern over the continued violations of the arms embargo and had demanded full compliance by all Member States with that measure. In its resolution 2701 (2023), the Council had reiterated that

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<sup>1</sup> For previous reports, see S/2018/451, S/2019/380, S/2020/393, S/2021/434, S/2022/360, S/2023/308 and S/2023/936.



individuals and entities determined by the Committee established pursuant to resolution 1970 (2011) concerning Libya to have violated the provisions of resolution 1970 (2011), including the arms embargo, or assisted others in doing so, were subject to designation. Since the publication of the previous report, the members of the Security Council have expressed concern in the light of rising tensions in Libya, including the proliferation of armed militias (see SC/15603).

4. In Libya, the Special Representative of the Secretary-General for Libya and Head of UNSMIL, Abdoulaye Bathily, continued his efforts to facilitate a political settlement that would pave the way for the holding of transparent and inclusive presidential and legislative elections. He invited the five main Libyan leaders to meet and address the politically contentious issues in the revised electoral laws. However, limited progress was made on the political track as some of the five leaders set preconditions for their participation or did not nominate representatives to the preparatory meetings.

5. Tensions or clashes between and within armed groups in Tripoli, between armed groups and border forces at western border crossing points, and between units affiliated with the Libyan National Army in southern Libya, illustrated that the overall security situation remained fragile. While there were no violations of the 23 October 2020 ceasefire agreement, tactical military training exercises by the parties displayed their advanced military equipment and communications systems, and projected combat readiness. In early January, hundreds of Chadian fighters returned from Libya to Chad. However, the political stalemate in Libya and the crises in neighbouring countries continued to pose challenges to the withdrawal of mercenaries, foreign fighters and foreign forces from Libya. The threat from terrorist groups remained present, particularly in the south (see S/2024/92).

6. In the context of this political and security environment, the effective implementation of the arms embargo can continue to play an important role. The arms embargo, when properly implemented, can help to prevent violence against civilians, abate the military build-up that is detrimental to progress in the Libyan political process, assist the Libyan authorities in ensuring security, and prevent the proliferation of arms in Libya and the region. It remains critical, therefore, that the arms embargo, combined with the authorizations set out in resolution 2292 (2016), be strictly implemented in a comprehensive manner to prevent illicit transfers by air, land and sea.

## **II. Implementation of the authorizations set out in resolution 2292 (2016) and extended in resolutions 2357 (2017), 2420 (2018), 2473 (2019), 2526 (2020), 2578 (2021), 2635 (2022) and 2684 (2023)**

7. The European Union military operation in the Mediterranean (Operation EUNAVFOR MED IRINI) remained the only regional arrangement acting under these authorizations during the reporting period.

### **Inspections**

8. In paragraph 3 of its resolution 2292 (2016), the Security Council authorized Member States to inspect vessels that they had reasonable grounds to believe were carrying arms or related materiel to or from Libya, in violation of the arms embargo, provided that those Member States made good-faith efforts to first obtain the consent of the vessel's flag State prior to any inspections, and called upon all flag States of the vessels to cooperate with such inspections.

9. The European Union informed the Secretariat that, from 1 November 2023 to 14 April 2024, Operation IRINI had carried out 1,793 hailings, 25 friendly approaches and 1 vessel inspection related to the arms embargo. The vessel inspection received the consent of the flag State.

#### **Seizure and disposal of prohibited items**

10. In paragraph 5 of its resolution [2292 \(2016\)](#), the Security Council authorized the Member States acting under the provisions of that resolution, upon discovery of items prohibited under the arms embargo, to seize and dispose of such items (such as through destruction, rendering inoperable, storage or transferring to a State other than the originating or destination States for disposal).

11. On 18 December 2023, the Chair of the Committee informed the Security Council that the Committee had received a final written report from Operation IRINI concerning a vessel inspection conducted on 18 July 2022 and the disposal of the corresponding seized cargo (specific types of vehicles). The Chair indicated that one Committee member had expressed a different view with regard to possible follow-up on the matter, referring to the implementation of resolution [2292 \(2016\)](#), and that there was a lack of consensus among Committee members in that regard (see [S/PV.9510](#)).

12. In addition to the final written report, the European Union has also informed the Secretariat of its submission of a subsequent written report from Operation IRINI related to a vessel inspection conducted on 10 September 2020 and the final action taken with regard to the corresponding seized cargo (jet A-1 fuel). As reported in 2021, the Committee has not expressed a position on jet A-1 fuel in relation to the arms embargo (see [S/2021/434](#)).

### **III. Reporting obligations and sharing of relevant information**

13. In paragraph 10 of resolution [2292 \(2016\)](#), Member States acting under the authorizations set out in that resolution were required to report to the Committee on the results of the inspections undertaken. In paragraph 11 of the same resolution, Member States and the Libyan authorities were encouraged to share relevant information with the Committee and with those Member States acting under the authorizations. The Panel of Experts was also encouraged to share relevant information with the Member States acting under the authorizations.

14. During the reporting period, the European Union conveyed one inspection report and submitted two follow-up reports to the Committee. Operation IRINI reported that it maintained effective relations with the Panel of Experts. It also reported on its cooperation with other European Union bodies and law enforcement agencies, such as the European Border and Coast Guard Agency (Frontex) and the European Union Agency for Law Enforcement Cooperation.

15. The Panel of Experts informed the Secretariat that it continued to follow the procedures for the exchange of information with Operation IRINI. As noted in the first report submitted pursuant to resolution [2684 \(2023\)](#), following inspections by the Panel of the two cargoes seized by Operation IRINI in 2022, both containing specific types of vehicles, the Panel reported on its findings (see [S/2023/673](#) and [S/2023/673/Corr.1](#)).

#### **IV. Inspections within the ambit of resolution 1970 (2011)**

16. Two States neighbouring Libya informed the Secretariat that they routinely tracked or inspected vessels heading to or from Libya in their territorial waters. A third State in the region reported that it had conducted one vessel inspection in its territorial waters. The European Union reported that the crime information cell located within the headquarters of Operation IRINI had made three recommendations for inspections in the ports of European Union member States, which had been carried out by relevant law enforcement agencies. The United Nations Office on Drugs and Crime informed the Secretariat that it continued, as previously reported, to support maritime law enforcement agencies of countries in the Mediterranean region in tackling illegal weapons trafficking by sea in the Eastern Mediterranean, including trafficking destined to Libya.

#### **V. Observations**

17. I would like to reiterate my appreciation for the continued efforts of the European Union, acting through Operation IRINI, under the authorizations extended by the Security Council in its resolution [2684 \(2023\)](#). Continued engagement with all relevant partners and stakeholders, in particular the Libyan authorities, remains important in the implementation of the authorizations related to vessel inspections.

18. As some neighbouring States have demonstrated, all Member States can complement the efforts of Operation IRINI by inspecting, in their own territories, including at seaports and airports, cargo bound to or from Libya. Training and capacity-building of vetted members of Libyan entities that intercept vessels in Libyan territorial waters and process cargo at Libyan ports, in accordance with the arms embargo and with mechanisms in place to ensure compliance with international human rights law, can further strengthen the implementation of the arms embargo (see [S/2023/640](#) and [S/2023/673](#) and [S/2023/673/Corr.1](#)). The provision of border management support to countries neighbouring Libya, can also contribute to enhancing implementation of the arms embargo.

19. Once again, I call upon all actors at the national, regional and international levels to take the steps necessary to ensure strict compliance with the arms embargo and full implementation of the ceasefire agreement, including the action plan for the withdrawal of mercenaries, foreign fighters and foreign forces. Support for the disarmament, demobilization and reintegration of armed groups and for security sector reform, once the conditions are in place to initiate such processes, is also important. Support for the reunification of military and security institutions also remains critical. The Security Council and the Committee can take further action, on the basis of previous recommendations made by the Panel of Experts, to enhance the implementation of the arms embargo and to send a clear signal that violations of the embargo are unacceptable.