



REGIONAL COURSES  
IN INTERNATIONAL LAW

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INTERNATIONAL PEACE AND SECURITY  
MR. DIRE TLADI

Codification Division of the United Nations Office of Legal Affairs

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**INTERNATIONAL PEACE AND SECURITY**  
**MR. DIRE TLADI**

**Legal Instruments and Documents**

1. United Nations Charter, 1945  
For text, see *Charter of the United Nations and Statute of the International Court of Justice*
2. Constitutive Act of the African Union, 2000
3. Security Council resolution 1368 (2001) of 12 September 2001
4. Security Council resolution 1970 (2011) of 26 February 2011
5. Security Council resolution 1973 (2011) of 17 March 2011
6. Security Council resolution 1975 (2011) of 30 March 2011
7. Assembly of the African Union, Decision on the Operationalisation of the African Capacity for Immediate Response to Crises (Assembly/AU/Dec.515(XXII))

**Case Law**

8. *Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States of America)*, Merits, Judgment, *I.C.J. Reports 1986*, pp. 92-112, paras. 172-214  
For text, see *Introduction to International Law*, Vinuales, pp. 42-53

**Suggested Readings (not reproduced)**

9. E. de Wet, "An Overview of the Substantive Limits to the Security Council's Discretion under Articles 40, 41 and 42 of the Charter", in *The Chapter VII Powers of the United Nations Security Council*, Hart Publishing, 2004, pp. 178-216
10. D. Tladi and G. Taylor, "On the Al Qaida/Taliban Sanctions Regime: Due Process and Sunsetting", *Chinese Journal of International Law*, vol. 10, no. 4, 2011, pp. 771-789
11. D. Bethlehem, "Self-Defense Against an Imminent or Actual Armed Attack by Nonstate Actors", *American Journal of International Law*, vol. 106, no. 4, October 2012, pp. 769-777
12. D. Tladi "The Nonconsenting Innocent State: the Problem With Bethlehem's Principle 12", *American Journal of International Law*, vol. 107, no. 3, July 2013, pp. 570-575



**Constitutive Act of the African Union, 2000**

UNTS, vol. 2158, p. 3

**No. 37733**

**Multilateral**

Constitutive Act of the African Union. Lomé, 11 July 2000  
 Entry into force: 26 May 2001, in accordance with article 28 (see following page)  
 Authentic texts: *Arabic, English, French and Portuguese*  
 Registration with the Secretariat of the United Nations: *Organization of African Unity, 10 August 2001*

**Multilatéral**

Acte constitutif de l'Union africaine. Lomé, 11 juillet 2000  
 Entrée en vigueur : 26 mai 2001, conformément à l'article 28 (voir la page suivante)  
 Textes authentiques : *arabe, anglais, français et portugais*  
 Enregistrement auprès du Secrétariat des Nations Unies : *Organisation de l'unité africaine, 10 août 2001*

Participant	Participation	Ratification
Botswana	2	Mar 2001
Burkina Faso	2	Mar 2001
Burundi	1	Mar 2001
Central African Republic	1	Mar 2001
Chad	6	Feb 2001
Comoros	27	Feb 2001
Côte d'Ivoire	1	Mar 2001
Djibouti	10	Jan 2001
Equatorial Guinea	24	Feb 2001
Eritrea	1	Mar 2001
Ethiopia	9	Mar 2001
Gambia	18	Apr 2001
Ghana	21	May 2001
Lesotho	12	Mar 2001
Liberia	1	Mar 2001
Libyan Arab Jamahiriya	29	Oct 2000
Malawi	14	Feb 2001
Mali	21	Aug 2000
Mauritius	19	Apr 2001
Mozambique	25	May 2001
Namibia	21	Mar 2001
Niger	9	Feb 2001
Nigeria	26	Apr 2001
Rwanda	18	Apr 2001
Sahrawi Arab Democratic Republic	2	Jan 2001
Sao Tome and Principe	2	Mar 2001
Senegal	31	Aug 2000

Participant	Ratification
Seychelles	9 Apr 2001
Sierra Leone	1 Mar 2001
Somalía	1 Mar 2001
South Africa	23 Apr 2001
Sudan	25 Jan 2001
Togo	14 Sep 2000
Tunisia	21 Mar 2001
Uganda	9 Apr 2001
United Republic of Tanzania	11 Apr 2001
Zambia	1 Mar 2001
Zimbabwe	3 Apr 2001
<b>Participant</b>	<b>Ratification</b>
Afrique du Sud	23 avr 2001
Botswana	2 mars 2001
Burkina Faso	2 mars 2001
Burundi	1 mars 2001
Comores	27 févr 2001
Côte d'Ivoire	1 mars 2001
Djibouti	10 janv 2001
Gambie	18 avr 2001
Ghana	21 mai 2001
Guinée équatoriale	24 févr 2001
Jamahiriya arabe libyenne	29 oct 2000
Lesotho	12 mars 2001
Libéria	1 mars 2001
Malawi	14 févr 2001
Mali	21 août 2000
Maurice	19 avr 2001
Mozambique	25 mai 2001

Participant	Ratification
Namibie	21 mars 2001
Niger	9 févr 2001
Nigéria	26 avr 2001
Ouganda	9 avr 2001
Rwanda	18 avr 2001
République centrafricaine	1 mars 2001
République démocratique arabe du Sahrawi	2 janv 2001
République-Unie de Tanzanie	11 avr 2001
Sao Tomé-et-Principe	2 mars 2001
Seychelles	9 avr 2001
Sierra Leone	1 mars 2001
Somalie	1 mars 2001
Soudan	25 janv 2001
Sénégal	31 août 2000
Tchad	6 févr 2001
Togo	14 sept 2000
Tunisie	21 mars 2001
Zambie	1 mars 2001
Zimbabwe	3 avr 2001
Érythrée	1 mars 2001
Éthiopie	9 mars 2001

## CONSTITUTIVE ACT OF THE AFRICAN UNION

We, Heads of State and Government of the Member States of the Organization of African Unity (OAU):

1. The President of the People's Democratic Republic of Algeria
2. The President of the Republic of Angola
3. The President of the Republic of Benin
4. The President of the Republic of Botswana
5. The President of Burkina Faso
6. The President of the Republic of Burundi
7. The President of the Republic of Cameroon
8. The President of the Republic of Cape Verde
9. The President of the Central African Republic
10. The President of the Republic of Chad
11. The President of the Islamic Federal Republic of the Comoros
12. The President of the Republic of the Congo
13. The President of the Republic of Cote d'Ivoire
14. The President of the Democratic Republic of Congo
15. The President of the Republic of Djibouti
16. The President of the Arab Republic of Egypt
17. The President of the State of Eritrea
18. The Prime Minister of the Federal Democratic Republic of Ethiopia
19. The President of the Republic of Equatorial Guinea
20. The President of the Gabonese Republic
21. The President of the Republic of The Gambia
22. The President of the Republic of Ghana
23. The President of the Republic of Guinea
24. The President of the Republic of Guinea Bissau
25. The President of the Republic of Kenya
26. The Prime Minister of the Kingdom of Lesotho
27. The President of the Republic of Liberia
28. The Leader of the 1st of September Revolution of the Great Socialist People's Libyan Arab Jamahiriya
29. The President of the Republic of Madagascar
30. The President of the Republic of Malawi

31. The President of the Republic of Mali
32. The President of the Islamic Republic of Mauritania
33. The Prime Minister of the Republic of Mauritius
34. The President of the Republic of Mozambique
35. The President of the Republic of Namibia
36. The President of the Republic of Niger
37. The President of the Federal Republic of Nigeria
38. The President of the Republic of Rwanda
39. The President of the Sahrawi Arab Democratic Republic
40. The President of the Republic of Sao Tome and Principe
41. The President of the Republic of Senegal
42. The President of the Republic of Seychelles
43. The President of the Republic of Sierra Leone
44. The President of the Republic of Somalia
45. The President of the Republic of South Africa
46. The President of the Republic of Sudan
47. The King of Swaziland
48. The President of the United Republic of Tanzania
49. The President of the Togolese Republic
50. The President of the Republic of Tunisia
51. The President of the Republic of Uganda
52. The President of the Republic of Zambia
53. The President of the Republic of Zimbabwe

Inspired by the noble ideals which guided the founding fathers of our Continental Organization and generations of Pan-Africanists in their determination to promote unity, solidarity, cohesion and cooperation among the peoples of Africa and African States;

Considering the principles and objectives stated in the Charter of the Organization of African Unity and the Treaty establishing the African Economic Community;

Recalling the heroic struggles waged by our peoples and our countries for political independence, human dignity and economic emancipation;

Considering that since its inception, the Organization of African Unity has played a determining and invaluable role in the liberation of the continent, the affirmation of a common identity and the process of attainment of the unity of our Continent and has provided a unique framework for our collective action in Africa and in our relations with the rest of the world;

Determined to take up the multifaceted challenges that confront our continent and peoples in the light of the social, economic and political changes taking place in the world;



Convinced of the need to accelerate the process of implementing the Treaty establishing the African Economic Community in order to promote the socio-economic development of Africa and to face more effectively the challenges posed by globalization;

Guided by our common vision of a united and strong Africa and by the need to build a partnership between governments and all segments of civil society, in particular women, youth and the private sector in order to strengthen solidarity and cohesion among our peoples;

Conscious of the fact that the scourge of conflicts in Africa constitutes a major impediment to the socio-economic development of the continent and of the need to promote peace, security and stability as a prerequisite for the implementation of our development and integration agenda;

Determined to promote and protect human and peoples' rights, consolidate democratic institutions and culture, and to ensure good governance and the rule of law;

Further determined to take all necessary measures to strengthen our common institutions and provide them with the necessary powers and resources to enable them discharge their respective mandates effectively;

Recalling the Declaration which we adopted at the Fourth Extraordinary Session of our Assembly in Sirte, the Great Socialist People's Libyan Arab Jamahiriyah, on 9.9. 99, in which we decided to establish an African Union, in conformity with the ultimate objectives of the Charter of our Continental Organization and the Treaty establishing the African Economic Community;

Have agreed as follows:

#### *Article 1. Definitions*

In this Constitutive Act:

- "Act" means the present Constitutive Act;
- "AEC" means the African Economic Community;
- "Assembly" means the Assembly of Heads of State and Government of the Union;
- "Charter" means the Charter of the OAU;
- "Commission" means the Secretariat of the Union;
- "Committee" means a Specialized Technical Committee of the Union;
- "Council" means the Economic, Social and Cultural Council of the Union;
- "Court" means the Court of Justice of the Union;
- "Executive Council" means the Executive Council of Ministers of the Union;
- "Member State" means a Member State of the Union;
- "OAU" means the Organization of African Unity;
- "Parliament" means the Pan-African Parliament of the Union;
- "Union" means the African Union established by the present Constitutive Act.

#### *Article 2. Establishment*

The African Union is hereby established in accordance with the provisions of this Act.

#### *Article 3. Objectives*

The objectives of the Union shall be to:

- (a) Achieve greater unity and solidarity between the African countries and the peoples of Africa;
- (b) Defend the sovereignty, territorial integrity and independence of its Member States;
- (c) Accelerate the political and socio-economic integration of the continent;
- (d) Promote and defend African common positions on issues of interest to the continent and its peoples;
- (e) Encourage international cooperation, taking due account of the Charter of the United Nations and the Universal Declaration of Human Rights;
- (f) Promote peace, security, and stability on the continent;
- (g) Promote democratic principles and institutions, popular participation and good governance;
- (h) Promote and protect human and peoples' rights in accordance with the African Charter on Human and Peoples' Rights and other relevant human rights instruments;
- (i) Establish the necessary conditions which enable the continent to play its rightful role in the global economy and in international negotiations;
- (j) Promote sustainable development at the economic, social and cultural levels as well as the integration of African economies;
- (k) Promote co-operation in all fields of human activity to raise the living standards of African peoples;
- (l) Coordinate and harmonize the policies between the existing and future Regional Economic Communities for the gradual attainment of the objectives of the Union;
- (m) Advance the development of the continent by promoting research in all fields, in particular in science and technology;
- (n) Work with relevant international partners in the eradication of preventable diseases and the promotion of good health on the continent.

#### *Article 4. Principles*

The Union shall function in accordance with the following principles:

- (a) Sovereign equality and interdependence among Member States of the Union;
- (b) Respect of borders existing on achievement of independence;
- (c) Participation of the African peoples in the activities of the Union;
- (d) Establishment of a common defence policy for the African Continent;

- (e) Peaceful resolution of conflicts among Member States of the Union through such appropriate means as may be decided upon by the Assembly;
- (f) Prohibition of the use of force or threat to use force among Member States of the Union;
- (g) Non-interference by any Member State in the internal affairs of another;
- (h) The right of the Union to intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely war crimes, genocide and crimes against humanity;
- (i) Peaceful co-existence of Member States and their right to live in peace and security;
- (j) The right of Member States to request intervention from the Union in order to restore peace and security;
- (k) Promotion of self-reliance within the framework of the Union;
- (l) Promotion of gender equality;
- (m) Respect for democratic principles, human rights, the rule of law and good governance;
- (n) Promotion of social justice to ensure balanced economic development;
- (o) Respect for the sanctity of human life, condemnation and rejection of impunity and political assassination, acts of terrorism and subversive activities;
- (p) Condemnation and rejection of unconstitutional changes of governments.

#### Article 5. *Organs of the Union*

1. The organs of the Union shall be:
  - (a) The Assembly of the Union;
  - (b) The Executive Council;
  - (c) The Pan-African Parliament;
  - (d) The Court of Justice;
  - (e) The Commission;
  - (f) The Permanent Representatives Committee;
  - (g) The Specialized Technical Committees;
  - (h) The Economic, Social and Cultural Council;
  - (i) The Financial Institutions;
2. Other organs that the Assembly may decide to establish.

#### Article 6. *The Assembly*

1. The Assembly shall be composed of Heads of State and Government or their duly accredited representatives.
2. The Assembly shall be the supreme organ of the Union.

3. The Assembly shall meet at least once a year in ordinary session. At the request of any Member State and on approval by a two-thirds majority of the Member States, the Assembly shall meet in extraordinary session.

4. The Office of the Chairman of the Assembly shall be held for a period of one year by a Head of State or Government elected after consultations among the Member States.

#### Article 7. *Decisions of the Assembly*

1. The Assembly shall take its decisions by consensus or, failing which, by a two-thirds majority of the Member States of the Union. However, procedural matters, including the question of whether a matter is one of procedure or not, shall be decided by a simple majority.

2. Two-thirds of the total membership of the Union shall form a quorum at any meeting of the Assembly.

#### Article 8. *Rules of Procedure of the Assembly*

The Assembly shall adopt its own Rules of Procedure.

#### Article 9. *Powers and Functions of the Assembly*

1. The functions of the Assembly shall be to:
  - (a) Determine the common policies of the Union;
  - (b) Receive, consider and take decisions on reports and recommendations from the other organs of the Union;
  - (c) Consider requests for Membership of the Union;
  - (d) Establish any organ of the Union;
  - (e) Monitor the implementation of policies and decisions of the Union as well as ensure compliance by all Member States;
  - (f) Adopt the budget of the Union;
  - (g) Give directives to the Executive Council on the management of conflicts, war and other emergency situations and the restoration of peace;
  - (h) Appoint and terminate the appointment of the judges of the Court of Justice;
  - (i) Appoint the Chairman of the Commission and his or her deputy or deputies and Commissioners of the Commission and determine their functions and terms of office.
2. The Assembly may delegate any of its powers and functions to any organ of the Union.



*Article 10. The Executive Council*

1. The Executive Council shall be composed of the Ministers of Foreign Affairs or such other Ministers or Authorities as are designated by the Governments of Member States.
2. The Executive Council shall meet at least twice a year in ordinary session. It shall also meet in an extra-ordinary session at the request of any Member State and upon approval by two-thirds of all Member States.

*Article 11. Decisions of the Executive Council*

1. The Executive Council shall take its decisions by consensus or, failing which, by a two-thirds majority of the Member States. However, procedural matters, including the question of whether a matter is one of procedure or not, shall be decided by a simple majority.
2. Two-thirds of the total membership of the Union shall form a quorum at any meeting of the Executive Council.

*Article 12. Rules of Procedure of the Executive Council*

The Executive Council shall adopt its own Rules of Procedure.

*Article 13. Functions of the Executive Council*

1. The Executive Council shall co-ordinate and take decisions on policies in areas of common interest to the Member States, including the following:

- (a) Foreign trade;
  - (b) Energy, industry and mineral resources;
  - (c) Food, agricultural and animal resources, livestock production and forestry;
  - (d) Water resources and irrigation;
  - (e) Environmental protection, humanitarian action and disaster response and relief;
  - (f) Transport and communications;
  - (g) Insurance;
  - (h) Education, culture, health and human resources development;
  - (i) Science and technology;
  - (j) Nationality, residency and immigration matters;
  - (k) Social security, including the formulation of mother and child care policies, as well as policies relating to the disabled and the handicapped;
  - (l) Establishment of a system of African awards, medals and prizes.
2. The Executive Council shall be responsible to the Assembly. It shall consider issues referred to it and monitor the implementation of policies formulated by the Assembly.

3. The Executive Council may delegate any of its powers and functions mentioned in paragraph 1 of this Article to the Specialized Technical Committees established under Article 14 of this Act.

*Article 14. The Specialized Technical Committees*

Establishment and Composition

1. There is hereby established the following Specialized Technical Committees, which shall be responsible to the Executive Council:

- (a) The Committee on Rural Economy and Agricultural Matters;
- (b) The Committee on Monetary and Financial Affairs;
- (c) The Committee on Trade, Customs and Immigration Matters;
- (d) The Committee on Industry, Science and Technology, Energy, Natural Resources and Environment;
- (e) The Committee on Transport, Communications and Tourism;
- (f) The Committee on Health, Labour and Social Affairs; and
- (g) The Committee on Education, Culture and Human Resources.

2. The Assembly shall, whenever it deems appropriate, restructure the existing Committees or establish other Committees.

3. The Specialized Technical Committees shall be composed of Ministers or senior officials responsible for sectors falling within their respective areas of competence.

*Article 15. Functions of the Specialized Technical Committees*

Each Committee shall within its field of competence:

- (a) Prepare projects and programmes of the Union and submit it to the Executive Council;
- (b) Ensure the supervision, follow-up and the evaluation of the implementation of decisions taken by the organs of the Union;
- (c) Ensure the coordination and harmonization of projects and programmes of the Union;
- (d) Submit to the Executive Council either on its own initiative or at the request of the Executive Council, reports and recommendations on the implementation of the provisions of this Act; and
- (e) Carry out any other functions assigned to it for the purpose of ensuring the implementation of the provisions of this Act.

*Article 16. Meetings*

Subject to any directives given by the Executive Council, each Committee shall meet as often as necessary and shall prepare its rules of procedure and submit them to the Executive Council for approval.

*Article 17. The Pan-African Parliament*

1. In order to ensure the full participation of African peoples in the development and economic integration of the continent, a Pan-African Parliament shall be established.
2. The composition, powers, functions and organization of the Pan-African Parliament shall be defined in a protocol relating thereto.

*Article 18. The Court of Justice*

1. A Court of Justice of the Union shall be established;
2. The statute, composition and functions of the Court of Justice shall be defined in a protocol relating thereto.

*Article 19. The Financial Institutions*

The Union shall have the following financial institutions, whose rules and regulations shall be defined in protocols relating thereto:

- (a) The African Central Bank;
- (b) The African Monetary Fund;
- (c) The African Investment Bank.

*Article 20. The Commission*

1. There shall be established a Commission of the Union, which shall be the Secretariat of the Union.
2. The Commission shall be composed of the Chairman, his or her deputy or deputies and the Commissioners. They shall be assisted by the necessary staff for the smooth functioning of the Commission.
3. The structure, functions and regulations of the Commission shall be determined by the Assembly.

*Article 21. The Permanent Representatives Committee*

1. There shall be established a Permanent Representatives' Committee. It shall be composed of Permanent Representatives to the Union and other Plenipotentiaries of Member States.
2. The Permanent Representatives Committee shall be charged with the responsibility of preparing the work of the Executive Council and acting on the Executive Council's instructions. It may set up such sub-committees or working groups as it may deem necessary.

*Article 22. The Economic, Social and Cultural Council*

1. The Economic, Social and Cultural Council shall be an advisory organ composed of different social and professional groups of the Member States of the Union.
2. The functions, powers, composition and organization of the Economic, Social and Cultural Council shall be determined by the Assembly.

*Article 23. Imposition of Sanctions*

1. The Assembly shall determine the appropriate sanctions to be imposed on any Member State that defaults in the payment of its contributions to the budget of the Union in the following manner: denial of the right to speak at meetings, to vote, to present candidates for any position or post within the Union or to benefit from any activity or commitments therefrom.
2. Furthermore, any Member State that fails to comply with the decisions and policies of the Union may be subjected to other sanctions, such as the denial of transport and communications links with other Member States, and other measures of a political and economic nature to be determined by the Assembly.

*Article 24. The Headquarters of the Union*

1. The Headquarters of the Union shall be in Addis Ababa in the Federal Democratic Republic of Ethiopia.
2. There may be established such other offices of the Union as the Assembly may, on the recommendation of the Executive Council, determine.

*Article 25. Working Languages*

The working languages of the Union and all its institutions shall be, if possible, African languages, Arabic, English, French and Portuguese.

*Article 26. Interpretation*

The Court shall be seized with matters of interpretation arising from the application or implementation of this Act. Pending its establishment, such matters shall be submitted to the Assembly of the Union, which shall decide by a two-thirds majority.

*Article 27. Signature, Ratification and Accession*

1. This Act shall be open to signature, ratification and accession by the Member States of the OAU in accordance with their respective constitutional procedures.
2. The instruments of ratification shall be deposited with the Secretary-General of the OAU.



3. Any Member State of the OAU acceding to this Act after its entry into force shall deposit the instrument of accession with the Chairman of the Commission.

*Article 28. Entry into Force*

This Act shall enter into force thirty (30) days after the deposit of the instruments of ratification by two-thirds of the Member States of the OAU.

*Article 29. Admission to Membership*

1. Any African State may, at any time after the entry into force of this Act, notify the Chairman of the Commission of its intention to accede to this Act and to be admitted as a member of the Union.
2. The Chairman of the Commission shall, upon receipt of such notification, transmit copies thereof to all Member States. Admission shall be decided by a simple majority of the Member States. The decision of each Member State shall be transmitted to the Chairman of the Commission who shall, upon receipt of the required number of votes, communicate the decision to the State concerned.

*Article 30. Suspension*

Governments which shall come to power through unconstitutional means shall not be allowed to participate in the activities of the Union.

*Article 31. Cessation of Membership*

1. Any State which desires to renounce its membership shall forward a written notification to the Chairman of the Commission, who shall inform Member States thereof. At the end of one year from the date of such notification, if not withdrawn, the Act shall cease to apply with respect to the renouncing State, which shall thereby cease to belong to the Union.
2. During the period of one year referred to in paragraph 1 of this Article, any Member State wishing to withdraw from the Union shall comply with the provisions of this Act and shall be bound to discharge its obligations under this Act up to the date of its withdrawal.

*Article 32. Amendment and Revision*

1. Any Member State may submit proposals for the amendment or revision of this Act.
2. Proposals for amendment or revision shall be submitted to the Chairman of the Commission who shall transmit same to Member States within thirty (30) days of receipt thereof.
3. The Assembly, upon the advice of the Executive Council, shall examine these proposals within a period of one year following notification of Member States, in accordance with the provisions of paragraph 2 of this Article.

4. Amendments or revisions shall be adopted by the Assembly by consensus or, failing which, by a two-thirds majority and submitted for ratification by all Member States in accordance with their respective constitutional procedures. They shall enter into force thirty (30) days after the deposit of the instruments of ratification with the Chairman of the Commission by a two-thirds majority of the Member States.

*Article 33. Transitional Arrangements and Final Provisions*

1. This Act shall replace the Charter of the Organization of African Unity. However, the Charter shall remain operative for a transitional period of one year or such further period as may be determined by the Assembly, following the entry into force of the Act, for the purpose of enabling the OAU/AEC to undertake the necessary measures regarding the devolution of its assets and liabilities to the Union and all matters relating thereto.
2. The provisions of this Act shall take precedence over and supersede any inconsistent or contrary provisions of the Treaty establishing the African Economic Community.
3. Upon the entry into force of this Act, all necessary measures shall be undertaken to implement its provisions and to ensure the establishment of the organs provided for under the Act in accordance with any directives or decisions which may be adopted in this regard by the Parties thereto within the transitional period stipulated above.
4. Pending the establishment of the Commission, the OAU General Secretariat shall be the interim Secretariat of the Union.
5. This Act, drawn up in four (4) original texts in the Arabic, English, French and Portuguese languages, all four (4) being equally authentic, shall be deposited with the Secretary-General of the OAU and, after its entry into force, with the Chairman of the Commission who shall transmit a certified true copy of the Act to the Government of each signatory State. The Secretary-General of the OAU and the Chairman of the Commission shall notify all signatory States of the dates of the deposit of the instruments of ratification or accession and shall upon entry into force of this Act register the same with the Secretariat of the United Nations.

In witness whereof, we have adopted this Act.  
Done at Lomé, Togo, this 11th day of July, 2000.



**United Nations Security Council resolution 1368 (2001) of 12  
September 2001 (Threats to International Peace and Security  
Caused by Terrorist Acts)**



## Security Council

Distr.: General

12 September 2001

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### Resolution 1368 (2001)

**Adopted by the Security Council at its 4370th meeting, on  
12 September 2001**

*The Security Council,*

*Reaffirming* the principles and purposes of the Charter of the United Nations,

*Determined* to combat by all means threats to international peace and security caused by terrorist acts,

*Recognizing* the inherent right of individual or collective self-defence in accordance with the Charter,

1. *Unequivocally condemns* in the strongest terms the horrifying terrorist attacks which took place on 11 September 2001 in New York, Washington, D.C. and Pennsylvania and *regards* such acts, like any act of international terrorism, as a threat to international peace and security;

2. *Expresses* its deepest sympathy and condolences to the victims and their families and to the people and Government of the United States of America;

3. *Calls* on all States to work together urgently to bring to justice the perpetrators, organizers and sponsors of these terrorist attacks and *stresses* that those responsible for aiding, supporting or harbouring the perpetrators, organizers and sponsors of these acts will be held accountable;

4. *Calls also* on the international community to redouble their efforts to prevent and suppress terrorist acts including by increased cooperation and full implementation of the relevant international anti-terrorist conventions and Security Council resolutions, in particular resolution 1269 (1999) of 19 October 1999;

5. *Expresses* its readiness to take all necessary steps to respond to the terrorist attacks of 11 September 2001, and to combat all forms of terrorism, in accordance with its responsibilities under the Charter of the United Nations;

6. *Decides* to remain seized of the matter.





**United Nations Security Council resolution 1970 (2011) of 26  
February 2011 (Referral of situation in Libyan Arab  
Jamahiriya to the International Criminal Court)**



## Security Council

Distr.: General  
26 February 2011

*Recalling* the Libyan authorities' responsibility to protect its population,  
*Underlining* the need to respect the freedoms of peaceful assembly and of expression, including freedom of the media,  
*Stressing* the need to hold to account those responsible for attacks, including by forces under their control, on civilians,

*Recalling* article 16 of the Rome Statute under which no investigation or prosecution may be commenced or proceeded with by the International Criminal Court for a period of 12 months after a Security Council request to that effect,

*Expressing concern* for the safety of foreign nationals and their rights in the Libyan Arab Jamahiriya,

*Reaffirming* its strong commitment to the sovereignty, independence, territorial integrity and national unity of the Libyan Arab Jamahiriya.

*Mindful* of its primary responsibility for the maintenance of international peace and security under the Charter of the United Nations,

*Acting* under Chapter VII of the Charter of the United Nations, and taking measures under its Article 41,

1. *Demands* an immediate end to the violence and calls for steps to fulfil the legitimate demands of the population;
2. *Urges* the Libyan authorities to:
  - (a) Act with the utmost restraint, respect human rights and international humanitarian law, and allow immediate access for international human rights monitors;
  - (b) Ensure the safety of all foreign nationals and their assets and facilitate the departure of those wishing to leave the country;
  - (c) Ensure the safe passage of humanitarian and medical supplies, and humanitarian agencies and workers, into the country; and
  - (d) Immediately lift restrictions on all forms of media;
3. *Requests* all Member States, to the extent possible, to cooperate in the evacuation of those foreign nationals wishing to leave the country;

### *ICC referral*

4. *Decides* to refer the situation in the Libyan Arab Jamahiriya since 15 February 2011 to the Prosecutor of the International Criminal Court;

5. *Decides* that the Libyan authorities shall cooperate fully with and provide any necessary assistance to the Court and the Prosecutor pursuant to this resolution and, while recognizing that States not party to the Rome Statute have no obligation under the Statute, urges all States and concerned regional and other international organizations to cooperate fully with the Court and the Prosecutor;

6. *Decides* that nationals, current or former officials or personnel from a State outside the Libyan Arab Jamahiriya which is not a party to the Rome Statute of the International Criminal Court shall be subject to the exclusive jurisdiction of that State for all alleged acts or omissions arising out of or related to operations in the

*The Security Council,*  
*Expressing* grave concern at the situation in the Libyan Arab Jamahiriya and condemning the violence and use of force against civilians,

*Deploring* the gross and systematic violation of human rights, including the repression of peaceful demonstrators, expressing deep concern at the deaths of civilians, and rejecting unequivocally the incitement to hostility and violence against the civilian population made from the highest level of the Libyan government,

*Welcoming* the condemnation by the Arab League, the African Union, and the Secretary General of the Organization of the Islamic Conference of the serious violations of human rights and international humanitarian law that are being committed in the Libyan Arab Jamahiriya,

*Taking note* of the letter to the President of the Security Council from the Permanent Representative of the Libyan Arab Jamahiriya dated 26 February 2011,

*Welcoming* the Human Rights Council resolution A/HRC/RES/S-15/1 of 25 February 2011, including the decision to urgently dispatch an independent international commission of inquiry to investigate all alleged violations of international human rights law in the Libyan Arab Jamahiriya, to establish the facts and circumstances of such violations and of the crimes perpetrated, and where possible identify those responsible,

*Considering* that the widespread and systematic attacks currently taking place in the Libyan Arab Jamahiriya against the civilian population may amount to crimes against humanity,

*Expressing concern* at the plight of refugees forced to flee the violence in the Libyan Arab Jamahiriya,

*Expressing concern also* at the reports of shortages of medical supplies to treat the wounded,

\* Second reissue for technical reasons (10 March 2011).

Libyan Arab Jamahiriya established or authorized by the Council, unless such exclusive jurisdiction has been expressly waived by the State;

7. *Invites* the Prosecutor to address the Security Council within two months of the adoption of this resolution and every six months thereafter on actions taken pursuant to this resolution;

8. *Recognizes* that none of the expenses incurred in connection with the referral, including expenses related to investigations or prosecutions in connection with that referral, shall be borne by the United Nations and that such costs shall be borne by the parties to the Rome Statute and those States that wish to contribute voluntarily;

#### *Arms embargo*

9. *Decides* that all Member States shall immediately take the necessary measures to prevent the direct or indirect supply, sale or transfer to the Libyan Arab Jamahiriya, from or through their territories or by their nationals, or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, and technical assistance, training, financial or other assistance, related to military activities or the provision, maintenance or use of any arms and related materiel, including the provision of armed mercenary personnel whether or not originating in their territories, and decides further that this measure shall not apply to:

(a) Supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training, as approved in advance by the Committee established pursuant to paragraph 24 below;

(b) Protective clothing, including flak jackets and military helmets, temporarily exported to the Libyan Arab Jamahiriya by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, for their personal use only; or

(c) Other sales or supply of arms and related materiel, or provision of assistance or personnel, as approved in advance by the Committee;

10. *Decides* that the Libyan Arab Jamahiriya shall cease the export of all arms and related materiel and that all Member States shall prohibit the procurement of such items from the Libyan Arab Jamahiriya by their nationals, or using their flagged vessels or aircraft, and whether or not originating in the territory of the Libyan Arab Jamahiriya;

11. *Calls upon* all States, in particular States neighbouring the Libyan Arab Jamahiriya, to inspect, in accordance with their national authorities and legislation and consistent with international law, in particular the law of the sea and relevant international civil aviation agreements, all cargo to and from the Libyan Arab Jamahiriya, in their territory, including seaports and airports, if the State concerned has information that provides reasonable grounds to believe the cargo contains items the supply, sale, transfer, or export of which is prohibited by paragraphs 9 or 10 of this resolution for the purpose of ensuring strict implementation of those provisions;

12. *Decides* to authorize all Member States to, and that all Member States shall, upon discovery of items prohibited by paragraph 9 or 10 of this resolution,

seize and dispose (such as through destruction, rendering inoperable, storage or transferring to a State other than the originating or destination States for disposal) items the supply, sale, transfer or export of which is prohibited by paragraphs 9 or 10 of this resolution and decides further that all Member States shall cooperate in such efforts;

13. *Requires* any Member State when it undertakes an inspection pursuant to paragraph 11 above, to submit promptly an initial written report to the Committee containing, in particular, explanation of the grounds for the inspections, the results of such inspections, and whether or not cooperation was provided, and, if prohibited items for transfer are found, further requires such Member States to submit to the Committee, at a later stage, a subsequent written report containing relevant details on the inspection, seizure, and disposal, and relevant details of the transfer, including a description of the items, their origin and intended destination, if this information is not in the initial report;

14. *Encourages* Member States to take steps to strongly discourage their nationals from travelling to the Libyan Arab Jamahiriya to participate in activities on behalf of the Libyan authorities that could reasonably contribute to the violation of human rights;

#### *Travel ban*

15. *Decides* that all Member States shall take the necessary measures to prevent the entry into or transit through their territories of individuals listed in Annex I of this resolution or designated by the Committee established pursuant to paragraph 24 below, provided that nothing in this paragraph shall oblige a State to refuse its own nationals entry into its territory;

16. *Decides* that the measures imposed by paragraph 15 above shall not apply:

(a) Where the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligation;

(b) Where entry or transit is necessary for the fulfilment of a judicial process;

(c) Where the Committee determines on a case-by-case basis that an exemption would further the objectives of peace and national reconciliation in the Libyan Arab Jamahiriya and stability in the region; or

(d) Where a State determines on a case-by-case basis that such entry or transit is required to advance peace and stability in the Libyan Arab Jamahiriya and the States subsequently notifies the Committee within forty-eight hours after making such a determination;

#### *Asset freeze*

17. *Decides* that all Member States shall freeze without delay all funds, other financial assets and economic resources which are on their territories, which are owned or controlled, directly or indirectly, by the individuals or entities listed in annex II of this resolution or designated by the Committee established pursuant to paragraph 24 below, or by individuals or entities acting on their behalf or at their direction, or by entities owned or controlled by them, and decides further that all

Member States shall ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any individuals or entities within their territories, to or for the benefit of the individuals or entities listed in Annex II of this resolution or individuals designated by the Committee;

18. Expresses its intention to ensure that assets frozen pursuant to paragraph 17 shall at a later stage be made available to and for the benefit of the people of the Libyan Arab Jamahiriya;

19. Decides that the measures imposed by paragraph 17 above do not apply to funds, other financial assets or economic resources that have been determined by relevant Member States:

(a) To be necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services in accordance with national laws, or fees or service charges, in accordance with national laws, for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the relevant State to the Committee of the intention to authorize, where appropriate, access to such funds, other financial assets or economic resources and in the absence of a negative decision by the Committee within five working days of such notification;

(b) To be necessary for extraordinary expenses, provided that such determination has been notified by the relevant State or Member States to the Committee and has been approved by the Committee; or

(c) To be the subject of a judicial, administrative or arbitral lien or judgment, in which case the funds, other financial assets and economic resources may be used to satisfy that lien or judgment provided that the lien or judgment was entered into prior to the date of the present resolution, is not for the benefit of a person or entity designated pursuant to paragraph 17 above, and has been notified by the relevant State or Member States to the Committee;

20. Decides that Member States may permit the addition to the accounts frozen pursuant to the provisions of paragraph 17 above of interests or other earnings due on those accounts or payments due under contracts, agreements or obligations that arose prior to the date on which those accounts became subject to the provisions of this resolution, provided that any such interest, other earnings and payments continue to be subject to these provisions and are frozen;

21. Decides that the measures in paragraph 17 above shall not prevent a designated person or entity from making payment due under a contract entered into prior to the listing of such a person or entity, provided that the relevant States have determined that the payment is not directly or indirectly received by a person or entity designated pursuant to paragraph 17 above, and after notification by the relevant States to the Committee of the intention to make or receive such payments or to authorize, where appropriate, the unfreezing of funds, other financial assets or economic resources for this purpose, 10 working days prior to such authorization;

#### *Designation criteria*

22. Decides that the measures contained in paragraphs 15 and 17 shall apply to the individuals and entities designated by the Committee, pursuant to paragraph 24 (b) and (c), respectively:

(a) Involved in or complicit in ordering, controlling, or otherwise directing, the commission of serious human rights abuses against persons in the Libyan Arab Jamahiriya, including by being involved in or complicit in planning, commanding, ordering or conducting attacks, in violation of international law, including aerial bombardments, on civilian populations and facilities; or

(b) Acting for or on behalf of or at the direction of individuals or entities identified in subparagraph (a).

23. Strongly encourages Member States to submit to the Committee names of individuals who meet the criteria set out in paragraph 22 above;

#### *New Sanctions Committee*

24. Decides to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council (herein "the Committee"), to undertake to following tasks:

(a) To monitor implementation of the measures imposed in paragraphs 9, 10, 15, and 17;

(b) To designate those individuals subject to the measures imposed by paragraphs 15 and to consider requests for exemptions in accordance with paragraph 16 above;

(c) To designate those individuals subject to the measures imposed by paragraph 17 above and to consider requests for exemptions in accordance with paragraphs 19 and 20 above;

(d) To establish such guidelines as may be necessary to facilitate the implementation of the measures imposed above;

(e) To report within thirty days to the Security Council on its work for the first report and thereafter to report as deemed necessary by the Committee;

(f) To encourage a dialogue between the Committee and interested Member States, in particular those in the region, including by inviting representatives of such States to meet with the Committee to discuss implementation of the measures;

(g) To seek from all States whatever information it may consider useful regarding the actions taken by them to implement effectively the measures imposed above;

(h) To examine and take appropriate action on information regarding alleged violations or non-compliance with the measures contained in this resolution;

25. Calls upon all Member States to report to the Committee within 120 days of the adoption of this resolution on the steps they have taken with a view to implementing effectively paragraphs 9, 10, 15 and 17 above;

*Humanitarian assistance*

26. *Calls upon* all Member States, working together and acting in cooperation with the Secretary General, to facilitate and support the return of humanitarian agencies and make available humanitarian and related assistance in the Libyan Arab Jamahiriya, and requests the States concerned to keep the Security Council regularly informed on the progress of actions undertaken pursuant to this paragraph, and expresses its readiness to consider taking additional appropriate measures, as necessary, to achieve this;

*Commitment to review*

27. *Affirms* that it shall keep the Libyan authorities' actions under continuous review and that it shall be prepared to review the appropriateness of the measures contained in this resolution, including the strengthening, modification, suspension or lifting of the measures, as may be needed at any time in light of the Libyan authorities' compliance with relevant provisions of this resolution;

28. *Decides* to remain actively seized of the matter.

**Travel ban**

1. Al-Baghdadi, Dr Abdulqader Mohammed  
Passport number: B010574. Date of birth: 01/07/1950.  
Head of the Liaison Office of the Revolutionary Committees. Revolutionary Committees involved in violence against demonstrators.
2. Dibri, Abdulqader Yusef  
Date of birth: 1946. Place of birth: Houn, Libya.  
Head of Muammar Qadhafi's personal security. Responsibility for regime security. History of directing violence against dissidents.
3. Dorda, Abu Zayd Umar  
Director, External Security Organisation. Regime loyalist. Head of external intelligence agency.
4. Jabir, Major General Abu Bakr Yunis  
Date of birth: 1952. Place of birth: Jalo, Libya.  
Defence Minister. Overall responsibility for actions of armed forces.
5. Matuq, Matuq Mohammed  
Date of birth: 1956. Place of birth: Khoms.  
Secretary for Utilities. Senior member of regime. Involvement with Revolutionary Committees. Past history of involvement in suppression of dissent and violence.
6. Qadhaf Al-dam, Sayyid Mohammed  
Date of birth: 1948. Place of birth: Sirte, Libya.  
Cousin of Muammar Qadhafi. In the 1980s, Sayyid was involved in the dissident assassination campaign and allegedly responsible for several deaths in Europe. He is also thought to have been involved in arms procurement.
7. Qadhafi, Aisha Muammar  
Date of birth: 1978. Place of birth: Tripoli, Libya.  
Daughter of Muammar Qadhafi. Closeness of association with regime.
8. Qadhafi, Hannibal Muammar  
Passport number: B/002210. Date of birth: 20/09/1975. Place of birth: Tripoli, Libya. Son of Muammar Qadhafi. Closeness of association with regime.
9. Qadhafi, Khamis Muammar  
Date of birth: 1978. Place of birth: Tripoli, Libya.  
Son of Muammar Qadhafi. Closeness of association with regime. Command of military units involved in repression of demonstrations.

10. Qadhafi, Mohammed Muammar

Date of birth: 1970. Place of birth: Tripoli, Libya.

Son of Muammar Qadhafi. Closeness of association with regime.

11. Qadhafi, Muammar Mohammed Abu Minyar

Date of birth: 1942. Place of birth: Sirte, Libya.

Leader of the Revolution, Supreme Commander of Armed Forces.

Responsibility for ordering repression of demonstrations, human rights abuses.

12. Qadhafi, Mutassim

Date of birth: 1976. Place of birth: Tripoli, Libya.

National Security Adviser. Son of Muammar Qadhafi. Closeness of association with regime.

13. Qadhafi, Saadi

Passport number: 014797. Date of birth: 25/05/1973. Place of birth: Tripoli, Libya.

Commander Special Forces. Son of Muammar Qadhafi. Closeness of association with regime. Command of military units involved in repression of demonstrations.

14. Qadhafi, Saif al-Arab

Date of birth: 1982. Place of birth: Tripoli, Libya.

Son of Muammar Qadhafi. Closeness of association with regime.

15. Qadhafi, Saif al-Islam

Passport number: B014995. Date of birth: 25/06/1972. Place of birth: Tripoli, Libya.

Director, Qadhafi Foundation. Son of Muammar Qadhafi. Closeness of association with regime. Inflammatory public statements encouraging violence against demonstrators.

16. Al-Senussi, Colonel Abdullah

Date of birth: 1949. Place of birth: Sudan.

Director Military Intelligence. Military Intelligence involvement in suppression of demonstrations. Past history includes suspicion of involvement in Abu Selim prison massacre. Convicted in absentia for bombing of UTA flight. Brother-in-law of Muammar Qadhafi.

## Annex II

### Asset freeze

1. Qadhafi, Aisha Muammar

Date of birth: 1978. Place of birth: Tripoli, Libya.

Daughter of Muammar Qadhafi. Closeness of association with regime.

2. Qadhafi, Hannibal Muammar

Passport number: B/002210. Date of birth: 20/09/1975. Place of birth: Tripoli, Libya. Son of Muammar Qadhafi. Closeness of association with regime.

3. Qadhafi, Khamis Muammar

Date of birth: 1978. Place of birth: Tripoli, Libya.

Son of Muammar Qadhafi. Closeness of association with regime. Command of military units involved in repression of demonstrations.

4. Qadhafi, Muammar Mohammed Abu Minyar

Date of birth: 1942. Place of birth: Sirte, Libya.

Leader of the Revolution, Supreme Commander of Armed Forces.

Responsibility for ordering repression of demonstrations, human rights abuses.

5. Qadhafi, Mutassim

Date of birth: 1976. Place of birth: Tripoli, Libya.

National Security Adviser. Son of Muammar Qadhafi. Closeness of association with regime.

6. Qadhafi, Saif al-Islam

Passport number: B014995. Date of birth: 25/06/1972. Place of birth: Tripoli, Libya.

Director, Qadhafi Foundation. Son of Muammar Qadhafi. Closeness of association with regime. Inflammatory public statements encouraging violence against demonstrators.

**United Nations Security Council resolution 1973 (2011) of  
17 March 2011 (On the situation in the Libyan Arab  
Jamahiriya)**





## Security Council

Distr.: General  
17 March 2011

*Taking note* of the final communiqué of the Organisation of the Islamic Conference of 8 March 2011, and the communiqué of the Peace and Security Council of the African Union of 10 March 2011 which established an ad hoc High Level Committee on Libya,

*Taking note also* of the decision of the Council of the League of Arab States of 12 March 2011 to call for the imposition of a no-fly zone on Libyan military aviation, and to establish safe areas in places exposed to shelling as a precautionary measure that allows the protection of the Libyan people and foreign nationals residing in the Libyan Arab Jamahiriya,

*Taking note further* of the Secretary-General's call on 16 March 2011 for an immediate cease-fire,

*Recalling* its decision to refer the situation in the Libyan Arab Jamahiriya since 15 February 2011 to the Prosecutor of the International Criminal Court, and *stressing* that those responsible for or complicit in attacks targeting the civilian population, including aerial and naval attacks, must be held to account,

*Reiterating its concern* at the plight of refugees and foreign workers forced to flee the violence in the Libyan Arab Jamahiriya, *welcoming* the response of neighbouring States, in particular Tunisia and Egypt, to address the needs of those refugees and foreign workers, and *calling on* the international community to support those efforts,

*Deploring* the continuing use of mercenaries by the Libyan authorities,

*Considering* that the establishment of a ban on all flights in the airspace of the Libyan Arab Jamahiriya constitutes an important element for the protection of civilians as well as the safety of the delivery of humanitarian assistance and a decisive step for the cessation of hostilities in Libya,

*Expressing concern* also for the safety of foreign nationals and their rights in the Libyan Arab Jamahiriya,

*Welcoming* the appointment by the Secretary General of his Special Envoy to Libya, Mr. Abdel-Elah Mohamed Al-Khatib and supporting his efforts to find a sustainable and peaceful solution to the crisis in the Libyan Arab Jamahiriya,

*Reaffirming* its strong commitment to the sovereignty, independence, territorial integrity and national unity of the Libyan Arab Jamahiriya,

*Determining* that the situation in the Libyan Arab Jamahiriya continues to constitute a threat to international peace and security,

*Acting under Chapter VII of the Charter of the United Nations,*

1. *Demands* the immediate establishment of a cease-fire and a complete end to violence and all attacks against, and abuses of, civilians;
2. *Stresses* the need to intensify efforts to find a solution to the crisis which responds to the legitimate demands of the Libyan people and *notes* the decisions of the Secretary-General to send his Special Envoy to Libya and of the Peace and Security Council of the African Union to send its ad hoc High Level Committee to Libya with the aim of facilitating dialogue to lead to the political reforms necessary to find a peaceful and sustainable solution;

### Resolution 1973 (2011)

#### Adopted by the Security Council at its 6498th meeting, on 17 March 2011

*The Security Council,*

*Recalling* its resolution 1970 (2011) of 26 February 2011,

*Deploring* the failure of the Libyan authorities to comply with resolution 1970 (2011),

*Expressing* grave concern at the deteriorating situation, the escalation of violence, and the heavy civilian casualties,

*Reiterating* the responsibility of the Libyan authorities to protect the Libyan population and *reaffirming* that parties to armed conflicts bear the primary responsibility to take all feasible steps to ensure the protection of civilians,

*Condemning* the gross and systematic violation of human rights, including arbitrary detentions, enforced disappearances, torture and summary executions,

*Further condemning* acts of violence and intimidation committed by the Libyan authorities against journalists, media professionals and associated personnel and *urging* these authorities to comply with their obligations under international humanitarian law as outlined in resolution 1738 (2006),

*Considering* that the widespread and systematic attacks currently taking place in the Libyan Arab Jamahiriya against the civilian population may amount to crimes against humanity,

*Recalling* paragraph 26 of resolution 1970 (2011) in which the Council expressed its readiness to consider taking additional appropriate measures, as necessary, to facilitate and support the return of humanitarian agencies and make available humanitarian and related assistance in the Libyan Arab Jamahiriya,

*Expressing its determination* to ensure the protection of civilians and civilian populated areas and the rapid and unimpeded passage of humanitarian assistance and the safety of humanitarian personnel,

*Recalling* the condemnation by the League of Arab States, the African Union, and the Secretary General of the Organization of the Islamic Conference of the serious violations of human rights and international humanitarian law that have been and are being committed in the Libyan Arab Jamahiriya,





3. *Demands* that the Libyan authorities comply with their obligations under international law, including international humanitarian law, human rights and refugee law and take all measures to protect civilians and meet their basic needs, and to ensure the rapid and unimpeded passage of humanitarian assistance;

#### Protection of civilians

4. *Authorizes* Member States that have notified the Secretary-General, acting nationally or through regional organizations or arrangements, and acting in cooperation with the Secretary-General, to take all necessary measures, notwithstanding paragraph 9 of resolution 1970 (2011), to protect civilians and civilian populated areas under threat of attack in the Libyan Arab Jamahiriya, including Benghazi, while excluding a foreign occupation force of any form on any part of Libyan territory, and *requests* the Member States concerned to inform the Secretary-General immediately of the measures they take pursuant to the authorization conferred by this paragraph which shall be immediately reported to the Security Council;

5. *Recognizes* the important role of the League of Arab States in matters relating to the maintenance of international peace and security in the region, and bearing in mind Chapter VIII of the Charter of the United Nations, requests the Member States of the League of Arab States to cooperate with other Member States in the implementation of paragraph 4;

#### No Fly Zone

6. *Decides* to establish a ban on all flights in the airspace of the Libyan Arab Jamahiriya in order to help protect civilians;

7. *Decides further* that the ban imposed by paragraph 6 shall not apply to flights whose sole purpose is humanitarian, such as delivering or facilitating the delivery of assistance, including medical supplies, food, humanitarian workers and related assistance, or evacuating foreign nationals from the Libyan Arab Jamahiriya, nor shall it apply to flights authorised by paragraphs 4 or 8, nor other flights which are deemed necessary by States acting under the authorisation conferred in paragraph 8 to be for the benefit of the Libyan people, and that these flights shall be coordinated with any mechanism established under paragraph 8;

8. *Authorizes* Member States that have notified the Secretary-General and the Secretary-General of the League of Arab States, acting nationally or through regional organizations or arrangements, to take all necessary measures to enforce compliance with the ban on flights imposed by paragraph 6 above, as necessary, and *requests* the States concerned in cooperation with the League of Arab States to coordinate closely with the Secretary-General on the measures they are taking to implement this ban, including by establishing an appropriate mechanism for implementing the provisions of paragraphs 6 and 7 above.

9. *Calls upon* all Member States, acting nationally or through regional organizations or arrangements, to provide assistance, including any necessary over-flight approvals, for the purposes of implementing paragraphs 4, 6, 7 and 8 above;

10. *Requests* the Member States concerned to coordinate closely with each other and the Secretary-General on the measures they are taking to implement

paragraphs 4, 6, 7 and 8 above, including practical measures for the monitoring and approval of authorised humanitarian or evacuation flights;

11. *Decides* that the Member States concerned shall inform the Secretary-General and the Secretary-General of the League of Arab States immediately of measures taken in exercise of the authority conferred by paragraph 8 above, including to supply a concept of operations;

12. *Requests* the Secretary-General to inform the Council immediately of any actions taken by the Member States concerned in exercise of the authority conferred by paragraph 8 above and to report to the Council within 7 days and every month thereafter on the implementation of this resolution, including information on any violations of the flight ban imposed by paragraph 6 above;

#### Enforcement of the arms embargo

13. *Decides that* paragraph 11 of resolution 1970 (2011) shall be replaced by the following paragraph : “Calls upon all Member States, in particular States of the region, acting nationally or through regional organisations or arrangements, in order to ensure strict implementation of the arms embargo established by paragraphs 9 and 10 of resolution 1970 (2011), to inspect in their territory, including seaports and airports, and on the high seas, vessels and aircraft bound to or from the Libyan Arab Jamahiriya, if the State concerned has information that provides reasonable grounds to believe that the cargo contains items the supply, sale, transfer or export of which is prohibited by paragraphs 9 or 10 of resolution 1970 (2011) as modified by this resolution, including the provision of armed mercenary personnel, *calls upon* all flag States of such vessels and aircraft to cooperate with such inspections and authorises Member States to use all measures commensurate to the specific circumstances to carry out such inspections”;

14. *Requests* Member States which are taking action under paragraph 13 above on the high seas to coordinate closely with each other and the Secretary-General and *further requests* the States concerned to inform the Secretary-General and the Committee established pursuant to paragraph 24 of resolution 1970 (2011) (“the Committee”) immediately of measures taken in the exercise of the authority conferred by paragraph 13 above;

15. *Requires* any Member State whether acting nationally or through regional organisations or arrangements, when it undertakes an inspection pursuant to paragraph 13 above, to submit promptly an initial written report to the Committee containing, in particular, explanation of the grounds for the inspection, the results of such inspection, and whether or not cooperation was provided, and, if prohibited items for transfer are found, further requires such Member States to submit to the Committee, at a later stage, a subsequent written report containing relevant details on the inspection, seizure, and disposal, and relevant details of the transfer, including a description of the items, their origin and intended destination, if this information is not in the initial report;

16. *Deplores* the continuing flows of mercenaries into the Libyan Arab Jamahiriya and *calls upon* all Member States to comply strictly with their obligations under paragraph 9 of resolution 1970 (2011) to prevent the provision of armed mercenary personnel to the Libyan Arab Jamahiriya;

### Ban on flights

17. *Decides* that all States shall deny permission to any aircraft registered in the Libyan Arab Jamahiriya or owned or operated by Libyan nationals or companies to take off from, land in or overfly their territory unless the particular flight has been approved in advance by the Committee, or in the case of an emergency landing;

18. *Decides that* all States shall deny permission to any aircraft to take off from, land in or overfly their territory, if they have information that provides reasonable grounds to believe that the aircraft contains items the supply, sale, transfer, or export of which is prohibited by paragraphs 9 and 10 of resolution 1970 (2011) as modified by this resolution, including the provision of armed mercenary personnel, except in the case of an emergency landing;

### Asset freeze

19. *Decides* that the asset freeze imposed by paragraph 17, 19, 20 and 21 of resolution 1970 (2011) shall apply to all funds, other financial assets and economic resources which are on their territories, which are owned or controlled, directly or indirectly, by the Libyan authorities, as designated by the Committee, or by individuals or entities acting on their behalf or at their direction, or by entities owned or controlled by them, as designated by the Committee, and *decides further* that all States shall ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any individuals or entities within their territories, to or for the benefit of the Libyan authorities, as designated by the Committee, or individuals or entities acting on their behalf or at their direction, or entities owned or controlled by them, as designated by the Committee, and directs the Committee to designate such Libyan authorities, individuals or entities within 30 days of the date of the adoption of this resolution and as appropriate thereafter;

20. *Affirms* its determination to ensure that assets frozen pursuant to paragraph 17 of resolution 1970 (2011) shall, at a later stage, as soon as possible be made available to and for the benefit of the people of the Libyan Arab Jamahiriya;

21. *Decides* that all States shall require their nationals, persons subject to their jurisdiction and firms incorporated in their territory or subject to their jurisdiction to exercise vigilance when doing business with entities incorporated in the Libyan Arab Jamahiriya or subject to its jurisdiction, and any individuals or entities acting on their behalf or at their direction, and entities owned or controlled by them, if the States have information that provides reasonable grounds to believe that such business could contribute to violence and use of force against civilians;

### Designations

22. *Decides* that the individuals listed in Annex I shall be subject to the travel restrictions imposed in paragraphs 15 and 16 of resolution 1970 (2011), and *decides* further that the individuals and entities listed in Annex II shall be subject to the asset freeze imposed in paragraphs 17, 19, 20 and 21 of resolution 1970 (2011);

23. *Decides* that the measures specified in paragraphs 15, 16, 17, 19, 20 and 21 of resolution 1970 (2011) shall apply also to individuals and entities determined by the Council or the Committee to have violated the provisions of resolution 1970

(2011), particularly paragraphs 9 and 10 thereof, or to have assisted others in doing so;

### Panel of Experts

24. *Requests* the Secretary-General to create for an initial period of one year, in consultation with the Committee, a group of up to eight experts ("Panel of Experts"), under the direction of the Committee to carry out the following tasks:

(a) Assist the Committee in carrying out its mandate as specified in paragraph 24 of resolution 1970 (2011) and this resolution;

(b) Gather, examine and analyse information from States, relevant United Nations bodies, regional organisations and other interested parties regarding the implementation of the measures decided in resolution 1970 (2011) and this resolution, in particular incidents of non-compliance;

(c) Make recommendations on actions the Council, or the Committee or State, may consider to improve implementation of the relevant measures;

(d) Provide to the Council an interim report on its work no later than 90 days after the Panel's appointment, and a final report to the Council no later than 30 days prior to the termination of its mandate with its findings and recommendations;

25. *Urges* all States, relevant United Nations bodies and other interested parties, to cooperate fully with the Committee and the Panel of Experts, in particular by supplying any information at their disposal on the implementation of the measures decided in resolution 1970 (2011) and this resolution, in particular incidents of non-compliance;

26. *Decides* that the mandate of the Committee as set out in paragraph 24 of resolution 1970 (2011) shall also apply to the measures decided in this resolution;

27. *Decides* that all States, including the Libyan Arab Jamahiriya, shall take the necessary measures to ensure that no claim shall lie at the instance of the Libyan authorities, or of any person or body in the Libyan Arab Jamahiriya, or of any person claiming through or for the benefit of any such person or body, in connection with any contract or other transaction where its performance was affected by reason of the measures taken by the Security Council in resolution 1970 (2011), this resolution and related resolutions;

28. *Reaffirms* its intention to keep the actions of the Libyan authorities under continuous review and underlines its readiness to review at any time the measures imposed by this resolution and resolution 1970 (2011), including by strengthening, suspending or lifting those measures, as appropriate, based on compliance by the Libyan authorities with this resolution and resolution 1970 (2011).

29. *Decides* to remain actively seized of the matter.

**Libya: UNSCR proposed designations**

<i>Number</i>	<i>Name</i>	<i>Justification</i>	<i>Identifiers</i>
<b>Annex I: Travel Ban</b>			
1	QUREN SALIH QUREN AL QADHAFI	Libyan Ambassador to Chad. Has left Chad for Sabha. Involved directly in recruiting and coordinating mercenaries for the regime.	
2	Colonel AMID HUSAIN AL KUNI	Governor of Ghat (South Libya). Directly involved in recruiting mercenaries.	

<i>Number</i>	<i>Name</i>	<i>Justification</i>	<i>Identifiers</i>
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**Annex II: Asset Freeze**

1	Dorda, Abu Zayd Umar	Position: Director, External Security Organisation	
2	Jabir, Major General Abu Bakr Yunis	Position: Defence Minister	<b>Title:</b> Major General <b>DOB:</b> --/--/1952. <b>POB:</b> Jalo, Libya
3	Matuq, Matuq Mohammed	Position: Secretary for Utilities	<b>DOB:</b> --/--/1956. <b>POB:</b> Khoms
4	Qadhafi, Mohammed Muammar	Son of Muammar Qadhafi. Closeness of association with regime	<b>DOB:</b> --/--/1970. <b>POB:</b> Tripoli, Libya
5	Qadhafi, Saadi	Commander Special Forces. Son of Muammar Qadhafi. Closeness of association with regime. Command of military units involved in repression of demonstrations	<b>DOB:</b> 25/05/1973. <b>POB:</b> Tripoli, Libya
6	Qadhafi, Saif al-Arab	Son of Muammar Qadhafi. Closeness of association with regime	<b>DOB:</b> --/--/1982. <b>POB:</b> Tripoli, Libya
7	Al-Senussi, Colonel Abdullah	Position: Director Military Intelligence	<b>Title:</b> Colonel <b>DOB:</b> --/--/1949. <b>POB:</b> Sudan

**Entities**

1	Central Bank of Libya	Under control of Muammar Qadhafi and his family, and potential source of funding for his regime.
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<i>Number</i>	<i>Name</i>	<i>Justification</i>	<i>Identifiers</i>
2	Libyan Investment Authority	Under control of Muammar Qadhafi and his family, and potential source of funding for his regime.	<b>a.k.a:</b> Libyan Arab Foreign Investment Company (LAFICO) <b>Address:</b> 1 Fateh Tower Office, No 99 22nd Floor, Borgaida Street, Tripoli, Libya, 1103
3	Libyan Foreign Bank	Under control of Muammar Qadhafi and his family and a potential source of funding for his regime.	<b>Address:</b> Jamahiriya Street, LAP Building, PO Box 91330, Tripoli, Libya
4	Libyan Africa Investment Portfolio	Under control of Muammar Qadhafi and his family, and potential source of funding for his regime.	<b>Address:</b> Bashir Saadwi Street, Tripoli, Tarabulus, Libya
5	Libyan National Oil Corporation	Under control of Muammar Qadhafi and his family, and potential source of funding for his regime.	



**United Nations Security Council resolution 1975 (2011) of  
30 March 2011 (On targeted sanctions against individuals in  
Côte d'Ivoire)**



## Security Council

Distr.: General  
30 March 2011

*Condemning* unequivocally all provocative action and statements that constitute incitement to discrimination, hostility, hatred and violence made by any party,

*Condemning* the serious abuses and violations of international law in Côte d'Ivoire, including humanitarian, human rights and refugee law, *reaffirming* the primary responsibility of each State to protect civilians and *reiterating* that parties to armed conflicts bear the primary responsibility to take all feasible steps to ensure the protection of civilians and facilitate the rapid and unimpeded passage of humanitarian assistance and the safety of humanitarian personnel, *recalling* its resolutions 1325 (2000), 1820 (2008), 1888 (2009) and 1889 (2009) on women, peace and security, its resolution 1612 (2005) and 1882 (2009) on children and armed conflict and its resolution 1674 (2006) and 1894 (2009) on the protection of civilians in armed conflicts,

*Welcoming* the Human Rights Council resolution A/HRC/16/25 of 25 March 2011, including the decision to dispatch an independent international commission of inquiry to investigate the facts and circumstances surrounding the allegations of serious abuses and violations of human rights committed in Côte d'Ivoire following the presidential elections of 28 November 2010,

*Stressing* that those responsible for such serious abuses and violations, including by forces under their control, must be held accountable,

*Reaffirming* that it is the responsibility of Côte d'Ivoire to promote and protect all human rights and fundamental freedoms, to investigate alleged violations of human rights and international law and to bring to justice those responsible for such acts,

*Considering* that the attacks currently taking place in Côte d'Ivoire against the civilian population could amount to crimes against humanity and that perpetrators of such crimes must be held accountable under international law and noting that the International Criminal Court may decide on its jurisdiction over the situation in Côte d'Ivoire on the basis of article 12, paragraph 3 of the Rome Statute,

*Determining* that the situation in Côte d'Ivoire continues to constitute a threat to international peace and security,

*Acting* under Chapter VII of the Charter of the United Nations,

1. *Urges* all the Ivorian parties and other stakeholders to respect the will of the people and the election of Alassane Dramane Ouattara as President of Côte d'Ivoire, as recognized by ECOWAS, the African Union and the rest of the international community, *expresses* its concern at the recent escalation of violence and *demand*s an immediate end to the violence against civilians, including women, children and Internally displaced persons;

2. *Calls upon* all parties to pursue the overall political solution of the African Union and, in this regard, *welcomes* the decision of the African Union Peace and Security Council Summit of 10 March to appoint a High Representative for the implementation of the overall political solution and calls upon all parties to fully cooperate with him;

### Resolution 1975 (2011)

#### Adopted by the Security Council at its 6508th meeting, on 30 March 2011

##### *The Security Council,*

*Recalling* its previous resolutions, in particular resolutions 1572 (2004), 1893 (2009), 1911 (2010), 1924 (2010), 1933 (2010), 1942 (2010), 1946 (2010), 1951 (2010), 1962 (2010), 1967 (2011), 1968 (2011) and the statements of its President relating to the situation in Côte d'Ivoire, and resolution 1938 (2010) on the situation in Liberia,

*Reaffirming* its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and *recalling* the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

*Reiterating* its strong desire that the post-electoral crisis in Côte d'Ivoire be resolved peacefully and require an overall political solution that preserves democracy and peace and promotes lasting reconciliation among Ivorians,

*Commending* the constructive efforts of the African Union High-level Panel for the resolution of the crisis in Côte d'Ivoire and *reiterating* its support to the African Union and the Economic Community of West African States (ECOWAS) for their commitment to resolve the crisis in Côte d'Ivoire,

*Welcoming* the decision of the Peace and Security Council of the African Union adopted at its 265th meeting at the level of Heads of State and Government, held on 10 March 2011 in Addis Ababa, which reaffirms all its previous decisions on the rapidly deteriorating post-electoral crisis facing Côte d'Ivoire since the second round of the presidential election, on 28 November 2010, which recognize the election of Mr Alassane Dramane Ouattara as the President of the Republic of Côte d'Ivoire,

*Welcoming* the political initiatives and noting the communiqué and the resolution on Côte d'Ivoire adopted by the Authority of Heads of State and Government of ECOWAS on 24 March 2011,

*Expressing* grave concern about the recent escalation of violence in Côte d'Ivoire and the risk of relapse into civil war and *urging* all parties to show utmost restraint to prevent such outcome and to resolve their differences peacefully,



3. *Condemns* the decision of Mr. Laurent Gbagbo not to accept the overall political solution proposed by the High-Level panel put in place by the African Union, and *urges* him to immediately step aside;
4. *Urges* all Ivorian State institutions, including the Defence and Security Forces of Côte d'Ivoire (FDSCI), to yield to the authority vested by the Ivorian people in President Alassane Dramane Ouattara, *condemns* the attacks, threats, acts of obstructions and violence perpetrated by FDSCI, militias and mercenaries against United Nations personnel, obstructing them from protecting civilians, monitoring and helping investigate human rights violations and abuses, *stresses* that those responsible for such crimes under international law must be held accountable and *calls upon* all parties, in particular Mr. Laurent Gbagbo's supporters and forces, to fully cooperate with the United Nations Operation in Côte d'Ivoire (UNOCI) and cease interfering with UNOCI's activities in implementation of its mandate;
5. *Reiterates* its firm condemnation of all violence committed against civilians, including women, children, internally displaced persons and foreign nationals, and other violations and abuses of human rights, in particular enforced disappearances, extrajudicial killings, killing and maiming of children and rapes and other forms of sexual violence;
6. *Recalls* its authorization and *stresses* its full support given to the UNOCI, while impartially implementing its mandate, to use all necessary means to carry out its mandate to protect civilians under imminent threat of physical violence, within its capabilities and its areas of deployment, including to prevent the use of heavy weapons against the civilian population and requests the Secretary-General to keep it urgently informed of measures taken and efforts made in this regard;
7. *Calls upon* all parties to cooperate fully in the operation of UNOCI and French forces which support it, in particular by guaranteeing their safety, security and freedom of movement with unhindered and immediate access throughout the territory of Côte d'Ivoire, to enable them to fully carry out their mandate;
8. *Calls upon* all parties to fully cooperate with the independent international commission of inquiry put in place by the Human Rights Council on 25 March 2011 to investigate the facts and circumstances surrounding the allegations of serious abuses and violations of human rights committed in Côte d'Ivoire following the presidential elections of 28 November 2010, and *requests* the Secretary-General to transmit this report to the Security Council and other relevant international bodies;
9. *Condemns* the use of Radiodiffusion Télévision Ivoirienne (RTI) and other media to incite discrimination, hostility, hatred and violence, including against UNOCI, as well as acts of intimidation and violence against journalists, and *calls for* the lifting of all restrictions placed on the exercise of the right of freedom of expression in Côte d'Ivoire;
10. *Expresses* deep concern about the increasing number of internally displaced persons and Ivorian refugees, especially in Liberia, caused by the crisis in Côte d'Ivoire, and *calls on* all Ivorian parties to cooperate fully with United Nations agencies and other actors working to enhance access to humanitarian aid to refugees and internally displaced persons;

11. *Reiterates* its longstanding demand that Mr. Laurent Gbagbo lift the siege of Golf Hotel without delay;

12. *Decides* to adopt targeted sanctions against those individuals who meet the criteria set out in resolution 1572 (2004) and subsequent resolutions, including those individuals who obstruct peace and reconciliation in Côte d'Ivoire, obstruct the work of UNOCI and other international actors in Côte d'Ivoire and commit serious violations of human rights and international humanitarian law, and therefore *decides* that the individuals listed in Annex I of this resolution shall be subject to the financial and travel measures imposed by paragraphs 9 to 11 of resolution 1572 (2004), and *reaffirms* its intention to consider further measures, as appropriate, including targeted sanctions against media actors who meet the relevant sanctions criteria, including by inciting publicly hatred and violence;

13. *Decides* to remain actively seized of the matter.



## Annex I

**Targeted sanctions**

1. Laurent Gbagbo  
 Date of birth: 31 May 1945  
 Place of birth: Gagnoa, Côte d'Ivoire  
 Former President of Côte d'Ivoire: obstruction of the peace and reconciliation process, rejection of the results of the presidential election.
2. Simone Gbagbo  
 Date of birth: 20 June 1949  
 Place of birth: Moossou, Grand-Bassam, Côte d'Ivoire  
 Chairperson of the Parliamentary Group of the Ivorian Popular Front (FPI): obstruction of the peace and reconciliation process, public incitement to hatred and violence.
3. Désiré Tagro  
 Passport number: PD – AE 065FH08  
 Date of birth: 27 January 1959  
 Place of birth: Issia, Côte d'Ivoire  
 Secretary-General in the so-called “presidency” of Mr. Gbagbo: participation in the illegitimate government of Mr. Gbagbo, obstruction of the peace and reconciliation process, rejection of the results of the presidential election, participation in violent repressions of popular movements.
4. Pascal Affi N'Guessan  
 Passport number: PD-AE 09DD000013.  
 Date of birth: 1 January 1953  
 Place of birth: Bouadriko, Côte d'Ivoire  
 Chairman of the Ivorian Popular Front (FPI): obstruction of the peace and reconciliation process, incitement to hatred and violence.
5. Alcide Djédjé  
 Date of birth: 20 October 1956  
 Place of birth: Abidjan, Côte d'Ivoire  
 Close advisor to Mr. Gbagbo: participation in the illegitimate government of Mr. Gbagbo, obstruction of the peace and reconciliation process, public incitement to hatred and violence.



**Decision on the Operationalisation of the African Capacity for  
Immediate Response to Crises**

Assembly of the African Union, Assembly/AU/Dec.515 (XXII),  
January 2014

**DECISION ON THE OPERATIONALISATION OF THE AFRICAN CAPACITY FOR  
IMMEDIATE RESPONSE TO CRISES  
Doc. Assembly/AU/4(XXII)**

**The Assembly,**

1. **RECALLS** its Decision Assembly/AU/Dec.489(XXI) on the establishment of the African Capacity for Immediate Response to Crises (ACIRC), adopted by the 21st Ordinary Session of the Assembly of the Union, held in Addis Ababa, from 26 to 27 May 2013;
2. **TAKES NOTE** of the decision by the following African Union (AU) Member States to be the initial participating countries in the ACIRC: Algeria, Angola, Chad, Ethiopia, Guinea, Mauritania, Niger, South Africa, Senegal, Guinea, Sudan, Tanzania and Uganda, and **HEREBY OPERATIONALISES** the ACIRC as a transitional arrangement;
3. **FURTHER RECALLS** that the ACIRC is based on voluntarism and the capacities of the participating countries;
4. **FURTHER DECIDES** as follows:
  - (i) More Member States should be encouraged to volunteer capabilities to ACIRC in the spirit of inclusivity and solidarity;
  - (ii) Upon a request by AU Member State(s), the AU Peace and Security Council (PSC) shall authorize the deployment of a force in accordance with the provisions of the AU Constitutive Act, especially Articles 4(h) and 4(j);
  - (iii) The implementation of the mandate shall be coordinated by the PSC;
  - (iv) An Operations Co-ordination Strategic Centre shall be established at the AU Commission Headquarters in Addis Ababa under the leadership of the Peace and Security Department, to work on the modalities for activating ACIRC;
  - (v) An Operational Command Centre will be located in any of the participating countries near the Mission Area.